TOWN OF WAYLAND

WARRANT

With Report of the Finance Committee

2003 ANNUAL TOWN MEETING

Thursday, April 3, 2003 7:45 P.M.
Wayland High School Field House

ANNUAL TOWN ELECTION

Tuesday, April 1, 2003

Precincts 1 and 4	**Town Building Gymnasium**
Precincts 2 and 3	**Wayland Middle School Gymnasium**

VOTING HOURS: 7:00 A.M. to 8:00 P.M.

www.wayland.ma.us

NOTICE

The Town of Wayland does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Wayland does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 (ADA).

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Wayland's designated ADA Compliance Coordinator.

Name:	John Senchyshyn
Title:	Human Resources Director/Assistant Executive Secretary
Office Address:	41 Cochituate Road, Wayland MA 01778
Phone Number:	(508) 358-3623
Fax Number:	(508) 358-3627
TDD:	(508) 358-0194 or 911
Days/Hours Available:	Monday-Friday, 8:30 a.m. to 4:30 p.m.

Individuals who need auxiliary aids for effective communication in programs and services of Wayland are invited to make their needs and preferences known to the ADA Compliance Coordinator. A minimum of fourteen days' notice is required.

This notice is available in large print and on audio tape from the ADA Compliance Coordinator.

TOWN OF WAYLAND
2003 ANNUAL TOWN MEETING WARRANT
With Report of the Finance Committee

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ADJOURNED MEETINGS

It is anticipated that if adjourned meetings are necessary to complete action on these warrants, they will be held on the following dates, subject to Town Meeting approval:

April 7 - Monday
April 9 - Wednesday
April 10 - Thursday

and thereafter, as may be necessary, on Mondays, Wednesdays, and Thursdays as Town Meeting directs.

If you have any questions about the Articles, please attend **the Warrant Hearing on Monday, March 31, 2003, at 8:00 P.M.** at the Town Building. You may also call the Executive Secretary's office at (508) 358-3621 before Town Meeting.

NOTICE REGARDING MOTIONS

This warrant for Wayland Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at Happy Hollow School. It contains the agenda of subjects to be acted upon; i.e., the articles.

By state law, no action at the town meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to deal. It does not require that the warrant contain an accurate forecast of the precise action that the meeting will take upon those subjects. A valid motion at town meeting may differ from the underlying article, but it must be within the scope of that article.

If you are in doubt about the action town meeting might take under an article, you should plan to attend the town meeting.

NOTICES

The **Wastewater Management District Commission** will hold a hearing on April 3, 2003, at 7:00 p.m. at the Wayland High School Field House. The hearing is being held pursuant to the requirements of Chapter 461 of the Acts of 1996, Section 7(f). The hearing will present information relative to the capital budget and program. There will also be a meeting immediately afterward pursuant to the requirements of Section 7(a) of said Chapter 461. The second hearing will present information relative to fees, rates and charges.

TOWN MEETING PROCEDURES

Town Meeting functions best when all voters are familiar with its rules of procedure. A summary of those rules appears in the document, "The Moderator's Rules and Regulations Governing Wayland's Town Meetings" prepared by the Moderator and included as part of this warrant booklet (Appendix A).

QUANTUM OF VOTE

The quantum of vote is specified in the warrant for each article.

For those articles involving appropriations which are anticipated to be provided by taxation or from available funds or transferred funds previously appropriated for another purpose, a majority quantum of vote is indicated. For articles which are anticipated to be funded by borrowing, a two-thirds quantum of vote is indicated.

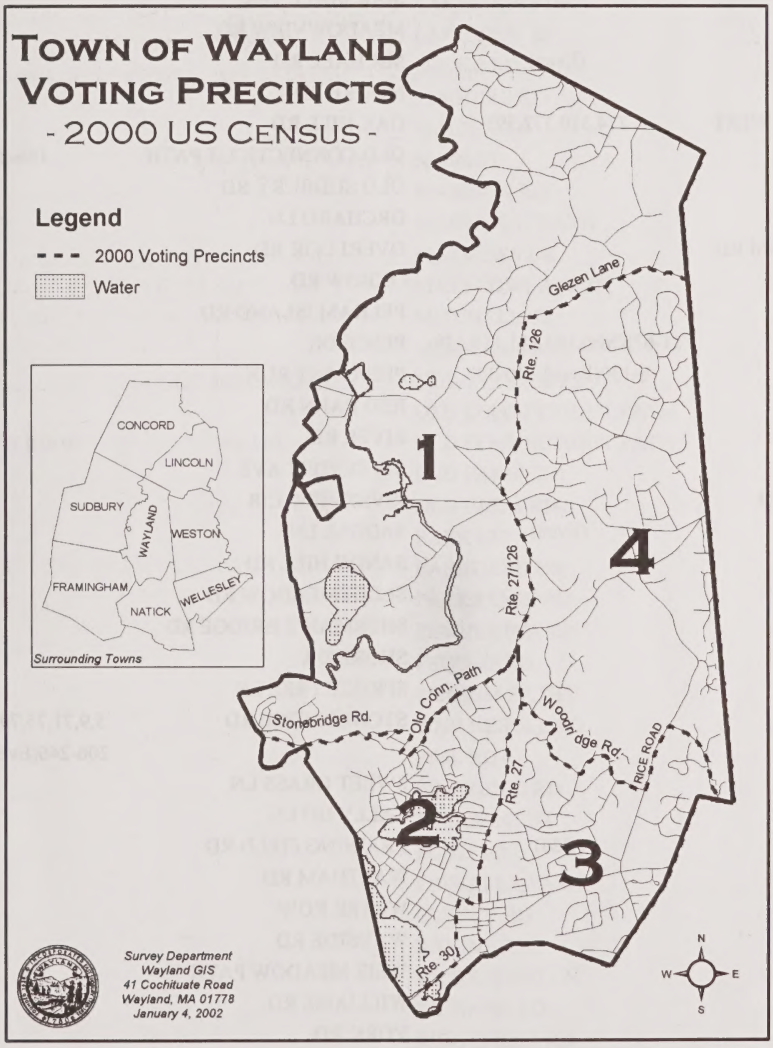
Certain articles request the action of Town Meeting under its general legislative powers (i.e., to hear and accept reports, to appoint a committee, to adopt a resolution or "sense of the meeting" vote, etc.), and in such cases no particular statute is referenced. Town Counsel has advised that, as a matter of common law precedent in Massachusetts, such matters are decided by a majority vote.

NO SMOKING NOTICE

Voters are reminded that there is no smoking permitted on school grounds.

LEGAL NOTICE

You are hereby notified that the precinct lines for the Town of Wayland have been realigned as a result of the 2000 Federal Census. The following is a map of the Town and a list of streets by precinct, including the polling location. **If you have any questions, please call the Town Clerk's office.**



PRECINCT ONE

STREET	NUMBER RANGE
ACORN LN	
ALPINE RD	
ANTHONY RD	(Even)
AUTUMN LN	
BOSTON POST RD WEST	274,310,372,395
BOW RD	
CAMERON RD	
CAMPBELL RD	
CATHERINE'S FARM RD	
CHARENA RD	
CLARENCE RD	
COCHITUATE RD	11-67(Odd),103,111,113,139
CONCORD RD	8-130(Even) 140-322
EAST RD	
ELLEN MARY LN	
ERWIN RD	
FOLSOMS POND RD	
GLEZEN LN	(Even)
GRAYBIRCH LN	
GREEN WAY	
GRISCOM RD	
GROVE ST	
HAMPSHIRE RD	
HAZELBROOK LN	
HEARD RD	
HEREFORD RD	
HICKORY HILL RD	
HIGHGATE RD	(Odd)
HOLIDAY RD	
JEFFREY RD	
KELLEY LN	
KELSEY RD	
LAUNCHER WAY	
LINCOLN RD	
LOBLOLLY LN	
LOBLOLLY LN	

STREET	NUMBER RANGE
MARSHALL TER	
MEADOWVIEW RD	
MICHAEL RD	
MOORE RD	
OAK HILL RD	
OLD CONNECTICUT PATH	186-252(Even)
OLD SUDBURY RD	
ORCHARD LN	
OVERLOOK RD	
OXBOW RD	
PELHAM ISLAND RD	
PESCE DR	
PHEASANT RUN	
RED BARN RD	
RIVER RD	
RIVERVIEW AVE	
RIVERVIEW CIR	
SADDLE LN	
SANDY HILL RD	
SEDGEMEADOW RD	
SHERMAN'S BRIDGE RD	
SHORE DR	
SPRUCE TREE LN	
STONEBRIDGE RD	5,9,71,75,79 189-243(Odd) 206-246(Even) 300,304,308
SWEET GRASS LN	
TALLY HO LN	
TRAINING FIELD RD	
WALTHAM RD	
WATER ROW	
WAYSIDE RD	
WEIR MEADOW PATH	
WILLIAMS RD	
YORK RD	

PRECINCT TWO

STREET	NUMBER RANGE
ADELAIDE AVE	
ALGONQUIN PATH	
AMEY RD	
ANTHONY RD	(Odd)
BAYFIELD RD	
BEECH RD	
BENT AVE	
BIRCH RD	
BOGREN LN	
CASTLE GATE RD	
CASTLE RD	
CEDAR CREST RD	
CHARLES ST	
CHESTNUT RD	
COCHITUATE RD	137,163-287(Odd)
COLE RD	
COMMONWEALTH RD W	86-110
COTTAGE RD	
CREST RD	
CROSS ST	
CURTISS RD	
DAVELIN RD	
DORAN RD	
DUDLEY RD	
EDGEWOOD RD	
EMERSON RD	
FAIRFIELD RD	
FULLER RD	
GAGE RD	
GARDEN PATH	
GENNARO CIR	
GEORGE ST	
GOODMAN LN	
GRACE RD	
GRIFFIN CIR	
HAMMOND RD	
HAPPY HOLLOW RD	
HAWTHORNE RD	

STREET	NUMBER RANGE
LAKE RD	
LAKE RD TER	
LAKESHORE DR	
LAKEVIEW RD	
LODGE RD	
MAGUIRE RD	
MAIDEN LN	
MAIN ST	160-298 (Even)
MANSION RD	
MASSASOIT PATH	
MATHEWS DR	
MAYFLOWER PATH	
MITCHELL ST	
MORRILL DR	
NOLAN FARM RD	
OLD CONNECTICUT PATH	191-269(Odd)
OLD CONNECTICUT PATH	274-476
OLD FARM CIR	
OLD FARM RD	
PARK LN	
PARKLAND DR	
PARKRIDGE RD	
PEMBERTON RD	(Even)
PEQUOT RD	
PILGRIM PATH	
PINE NEEDLE RD	
PINE RD	
PINERIDGE RD	
PLEASANT ST	
POND DR	
PRISCILLA PATH	
QUINCY RD	
RAVINE RD	
RICE SPRING LN	
RICHARD RD	
RIDGEFIELD RD	
ROLLING LN	
RUSSELL RD	

PRECINCT TWO - Continued

STREET	NUMBER RANGE	STREET	NUMBER RANGE
HEMLOCK RD		SHAWMUT AVE EXT	
HIGHGATE RD	(Even)	SIMPSON RD	
HOLBROOK RD		STONEBRIDGE RD	15-63
INDIAN RD		STONEBRIDGE RD	190,192,200
JUNIPER LN		SUNSET RD	
KING ST		SYCAMORE RD	
KNOLLWOOD LN		WALLACE RD	
		WAMPUM PATH	
		WEST PLAIN ST	
		WOODLAND RD	

PRECINCT THREE

STREET	NUMBER RANGE	STREET	NUMBER RANGE
ALDEN RD		LANGDON RD	
AQUEDUCT RD		LAWRENCE RD	
BALD ROCK RD		LEARY ST	
BARNEY HILL RD		LINN LN	
BRADFORD ST		LOKER ST	
BREWSTER RD		LORING LN	
BROOK TRAIL RD		MAIN ST	72-106,111-285(Odd)
BROOKS RD		MAPLE ST	
CABOT RD		MELVILLE PL	
CARPENTER RD		OAK ST	
CARROLL CT		OLD TAVERN RD	
CAULFIELD RD		PECK AVE	
CENTER ST		PEMBERTON RD	(Odd)
CLUBHOUSE LN		PICKWICK WAY	
COCHITUATE RD	208-280(Even)	POLLOCK RD	
COMMONWEALTH RD EAST	178-389	RICE RD	24-83
COMMONWEALTH RD WEST	117-136	SCHOOL ST	
CORMAN'S LN		SHAWMUT AVE	
COUNTRY CORNERS RD		SMOKEY HILL RD	
CUTTING CROSS WAY		SNAKEBROOK RD	
DAMON ST		SOUTH ST	
DEAN RD		SPENCER CIR	
DUNSTER AVE		STANTON ST	

PRECINCT THREE Continued

STREET	NUMBER RANGE	STREET	NUMBER RANGE
EAST PLAIN ST		THOMPSON ST	
EDEN RD		TIMBER LN	
FRENCH AVE		TRUDEAU TER	
GREGORY LN		VALLEY VIEW RD	
HARRISON ST		WAYBRIDGE LN	
HAVEN LN		WAYLAND HILLS RD	
HEARTHSTONE CIR		WHITE PINE KNOLL RD	
HIGH ROCK RD		WILLARD ST	
HILL ST		WILLOW BROOK DR	
HILLSIDE DR		WILLOW LN	
HOBBS RD		WINTER ST	
JENNISON AVE		WOODRIDGE RD	3-153 (Odd)
JOYCE RD			
KEITH RD			

PRECINCT FOUR

STREET	NUMBER RANGE	STREET	NUMBER RANGE
ADAMS LN		LAKESPUR	
APACHE TRL		LAUREL CREST LN	
APPLETREE LN		LEE RD	
ASTRA		LINGLEY LN	
AUDUBON RD		LONGFELLOW RD	
BARLEY LN		LUNDY LN	
BAYBERRY LN		MAGNOLIA DR	
BENNETT RD		MELLEN LN	
BIGELOW RD		MELODY LN	
BLACK OAK RD		MILLBROOK RD	
BLOSSOM LN		MORSE RD	
BOSTON POST RD EAST	81-221	NOB HILL RD	
BRACKETT RD		OLD CONNECTICUT PATH	3-177
BRANDYWYNE		OLD WESTON RD	
BRIDLE PATH		PARMENTER RD	
BUCKSKIN DR		PEARTREE LN	
CARRIAGE HOUSE LN		PINEBROOK RD	
CART PATH		PLAIN RD	
CHRISTINA		PLAINVIEW RD	

PRECINCT FOUR Continued

STREET	NUMBER RANGE
CLAYPIT HILL RD	
COBBLESTONE CIR	
COCHITUATE RD	24-194(Even)
COLTSWAY	
CONCORD RD	11-131 (Odd)
COOLIDGE RD	
D'ANGELO RD	
DAHLIA DR	
DAIRY FARM LN	
DAYBREAK	
DECATUR LN	
DEER RUN	
DRAPER RD	
ESSEX	
FARMCREST LN	
FIDDLEHEAD LN	
FIELDS LN	
FOREST HILL RD	
FORTY ACRES DR	
FOX HOLLOW	
FOX MEADOW LN	
GAMMONS WAY	
GLEN OAK DR	
GLEN RD	
GLEZEN LN	15-241(Odd)
GLOVER RD	
HAYWARD RD	
HIGHFIELDS	
HIGHLAND CIR	
INDIAN DAWN	
JERICHO LN	
JOEL'S WAY	

STREET	NUMBER RANGE
POETS PATH	
RESERVOIR RD	
RICE RD	68,70,78 126-253
RICH VALLEY RD	
RIPLEY LN	
ROWAN FIELD RD	
SEARS RD	
SHAW DR	
SPRINGHILL RD	
SQUIRREL HILL RD	
STANDISH RD	
STEEPLETREE LN	
SYLVAN WAY	
THREE PONDS RD	
TRINITY PL	
TURKEY HILL RD	
WEBSTER LN	
WESTWAY RD	
WHEELOCK RD	
WHISPERING LN	
WHITE RD	
WILDFLOWER LN	
WILDWOOD RD	
WINDY HILL RD	
WINTHROP PL	
WINTHROP RD	
WINTHROP TER	
WISTERIA WAY	
WOODRIDGE RD	18-148 (Even)
YEAGER WAY	

REPORT OF THE FINANCE COMMITTEE

TO THE RESIDENTS OF WAYLAND:

The Finance Committee members are pleased to present the Report of the Finance Committee including the 2004 operating and capital budget recommendations. In a difficult economic environment impacting municipalities throughout the Commonwealth, Wayland continues to demonstrate fiscal prudence and the Finance Committee is pleased to recommend a budget for 2004 that provides a consistent level of services with no Proposition 2 ½ override.

This report will describe the Finance Committee's role as defined in the Code of the Town of Wayland as well as our mission statement and financial strategy. Additionally, this report details the budget process, reviews expenses and revenues for the upcoming fiscal year 2004 (FY04) and presents a 5-year capital plan. The report concludes with a discussion of Wayland's financial trends and the resulting impact on future budgets.

THE COMMITTEE

The Wayland Finance Committee is comprised of seven residents who are appointed by the Board of Selectmen. The members' three year terms are staggered which has allowed for a mix of new and more experienced members. Meetings are normally convened on Monday evenings and prior notice is posted on the Town Building bulletin board. Our meetings are open to the public and include a public comment period. Residents wishing to offer public comment or to observe are welcome.

ROLE

The Code of the Town of Wayland charges the Finance Committee with two primary responsibilities. The Committee is required to prepare and present the Omnibus Budget (the Town's operating and capital budget), which appears as an article in the Annual Town Meeting Warrant. The Committee is also responsible for review and comment on articles submitted for inclusion in the Warrant.

MISSION STATEMENT

The mission of the Wayland Finance Committee is to define a financial strategy for the Town and to use this strategy as the basis for recommending to the Town a fiscally responsible operating and capital-spending plan. The Finance Committee seeks to balance the demand for services against the ability of residents with a broad range of financial situations to afford these services.

FINANCIAL STRATEGY

The Finance Committee's strategy is to recommend the following: 1) maintenance of high quality Town services supplied by an efficient workforce, 2) continued infrastructure investment via a capital spending plan, and 3) preservation of Free Cash. Our policy is to maintain Free Cash at a level that is sufficient to cover a worst-case current year transfer and to balance the budget for at least one year following an unsuccessful budget override initiative.

BUDGET PROCESS

Work on the proposed budget for FY04 began in early Fall of 2002. The Finance Committee met with departments, committees and commissions whose expenditures make up the bulk of Town expenses. These meetings are meant to inform the Finance Committee of specific personnel and monetary requirements, as well as to provide a general discussion and update of the activities of the respective departments and boards.

After reviewing various budget scenarios based on probable revenue and expense changes anticipated in the upcoming fiscal year, the committee issued budget guidelines for FY04 in October 2002, which essentially allowed for negotiated wage adjustments, increases in personnel related costs, and level funding in all other expense categories. A public hearing was held November 4, 2002, to discuss the budget guidelines and the revenue expectations for the next fiscal year. Department, committee and commission budgets were due on November 22, 2002. In December and early 2003, the committee met with departments to discuss specific budget requests.

In January, a compilation of revenue and expense estimates for FY04 was prepared based on the inputs from the departments, committees and commissions. As a result of the efforts by these various groups, the preliminary budget essentially met the Finance Committee guidelines.

However, during January, every Massachusetts municipality was informed that as a result of the State budget shortfall, state funding for the balance of 2003 and 2004 would be reduced. At the time of this writing, the Town has been informed that state funding will be reduced by just under $100,000 for the fiscal year ended June 30, 2003, which will be absorbed through the use of free cash. Preliminary State guidance for FY04 indicates an approximate reduction of 10% and for purposes of the 2004 budget the Finance Committee has assumed that the state will reduce funding in 2004 by $500,000 from previously expected levels. Fortunately, the Finance Committee in preparing the 2004 budget was able to offset the projected shortfall by planning for a combination of items, which included: 1) additional use of free cash; 2) additional funds from the sale of real estate, which were funds primarily created through the sale of the Paine Estate. Because the sale of real estate is a nonrecurring item the Finance Committee at the time of the sale elected to take the proceeds into the operating budget over 10 years. By having this reserve available for unforeseen budget shortfalls the Town is able to use an additional amount above the annual amount to help offset this shortfall; and 3) additional revenue anticipated in 2004 from increases in certain user fees charged by various

departments. If the State cuts funding beyond the projected level, additional measures may have to be considered by the Finance Committee and the Town to offset these further reductions.

A draft budget was presented at a hearing on February 3, 2003. Subsequently, the budget that appears in this warrant was approved unanimously.

FY04 OMNIBUS BUDGET

The Omnibus Budget lists various Town operating expenses, unclassified expenditures such as employee health insurance, and debt and interest. The budget also includes requests for capital expenditures.

OPERATING EXPENSES

The FY04 Omnibus Budget article proposes operating expenses of $45,170,662, representing an increase of $2,050,038 or 4.75% from fiscal 2003. The primary reason for the increase in the overall Town budget relates to payroll and related costs, which makes up about 70% of the overall budget. The Town is in the third year of three-year contracts with the various employee unions, which generally call for raises of 4% for fiscal 2004. In addition, employee benefit costs, primarily heath insurance costs, continue to rise resulting in an expected increase of approximately $500,000 in 2004, which is approximately a 20% increase, comparable to increases experienced throughout Massachusetts municipalities and in the private sector.

Table 1 details department budgets for 2004 and increases from 2003.

Table 1: Department Operating Expenses

Description	Approved FY03	Proposed FY04	Difference	% Change
Debt & Int.	$3,989,902	$3,833,337	($156,565)	-3.92%
General Gov't	$2,240,497	$2,332,465	$91,968	4.10%
Health	$535,166	$612,412	$77,246	14.43%
Highway	$1,140,032	$1,169,933	$29,901	2.62%
Landfill	$451,855	$459,986	$8,131	1.80%
Library	$801,787	$830,696	$28,909	3.61%
Park & Rec.	$1,350,101	$1,372,160	$22,059	1.63%
Protection	$4,374,457	$4,577,102	$202,645	4.63%
Regional School	$86,999	$188,049	$101,050	116.15%
School	$24,512,202	$25,462,202	$950,000	3.88%
Unclassified	$3,497,000	$4,186,998	$689,998	19.73%
Veterans	$7,693	$7,693	$0	0.00%
Youth Services.	$132,933	$137,629	$4,696	3.53%
Total	$43,120,624	$45,170,662	$2,050,038	4.75%

The top ten line item increases are shown in table 2.

Table 2

Line Item Changes

Department	Description	Line item	FY03 Appropriated	FY04 Requested	Variance	% Change
Town Office	Total Salaries	# 8	$ 435,431	$ 469,119	$ 33,688	7.74%
Police	Total Salaries	# 1	$ 1,674,997	$ 1,741,811	$ 66,814	3.99%
Fire	Total Salaries	# 18	$ 1,549,401	$ 1,635,662	$ 86,261	5.57%
Joint Comm.	Dispatch Salaries	# 44	$ 331,874	$ 373,319	$ 41,445	12.49%
Board of Health	Nursing Care	# 6	$ 239,939	$ 300,836	$ 60,897	25.38%
Schools	Total Schools	# 1	$ 24,512,202	$ 25,462,202	$ 950,000	3.88%
Library	Total Salaries	# 1	$ 596,937	$ 619,646	$ 22,709	3.80%
Unclassified	Insurance General	# 1	$ 225,000	$ 275,000	$ 50,000	22.22%
Unclassified	Insurance 32B	# 2	$ 2,761,000	$ 3,247,463	$ 486,463	17.62%
Unclassified	Medicare Contribution	# 14	$ 80,000	$ 230,000	$ 150,000	187.50%
Total			$ 32,406,781	$ 34,355,058	$ 1,948,277	

Other than wage increases as described above, several items from the operating budget are worthy of note. It should also be noted that there are no new positions included in any budget.

General Government: The Selectmen's budget includes $10,000 for continuation of an Environmental Audit of the Town Facilities, which was initially required by a settlement with the DEP, and represents an ongoing effort to comply with environmental rules and regulations.

Board of Health: Community nursing care (line item # 6) is increasing $60,897 based on a contract between Parmenter Health Care and the Board of Health. Parmenter provides nursing coverage at Wayland's schools and also provides general nursing services to the Town. This increase is primarily driven by higher wages, benefit costs, and a small increase in daily nurse coverage at the elementary schools.

Highway: The annual road-resurfacing budget (line #8) has been increased by $10,000. This is the annual cost to resurface Town roads above the cost reimbursed by the State.

Board of Health Landfill: Banned waste material (line #13) has been increased by $10,000 due to higher cost of disposal; and, the budget has been increased by $6,000 for additions to

the security system (line #14) for additional after-hours surveillance of the landfill. These increases are partially offset by a decline of $10,000 for leachate collection (line #2).

School: The vast majority of the School budget increase is centered in three areas. Personnel costs will increase by $849,348, primarily due to wage increases offset by a reduction of approximately 5 positions. Material and supplies costs are budgeted to increase by $62,431. Special needs costs that are state-mandated are expected to increase by $45,248. A detailed breakdown of all school expenses is contained in the school budget that will be mailed to households in March. The School Committee will hold a budget hearing in March to answer any further questions raised by the Warrant budget or the School budget mailing.

Unclassified: Insurance General (line #1) is estimated to increase by $50,000, representing the additional cost to provide liability, property and other insurance to the Town. Our health care group has estimated that employee health insurance costs (line # 2 "Insurance 32B") will rise 15 to 20 % for FY04. This increase is in line with health insurance inflation recently experienced in the private and public sectors. Secondly, a greater percentage of Town employees are taking advantage of this benefit. We have increased this line item by $486,000 to cover this anticipated cost. Medicare contribution (line #13), which represents the Town's payroll contribution to Medicare, has been increased by $150,000 in the operating budget. However, the total amount is the same as FY03 after giving effect to a $150,000 Current Year Transfer included in this year's warrant.

Debt and Interest: Debt and Interest will decrease by $156,565 because maturing debt exceeds new borrowings.

NONBUDGET EXPENSES

The Town is responsible for funding State and County assessments ($767,000), real estate abatements ($300,000) and Town employee retirement pensions ($1,601,000). The Finance Committee estimates that these non-budget charges will total $2,693,000. This represents an increase of $311,000 from FY02. Most of this increase relates to increases in the assessment for Town employees retirement pensions. The Town participates in the Middlesex County Retirement System, which is a collective of approximately 30 municipalities, for all Town employees other than Teachers, who are covered by a State Retirement Program. As a result of a recent actuarial study, pension contributions were increased to reflect the lower returns experienced by the Fund versus the expected returns historically used. It is expected that this higher contribution will continue in future years.

The Omnibus Budget expenses plus the nonbudget expenses total $47,863,739.

CAPITAL REQUESTS

Capital requests for FY04 total $1,314,650. The list appears on the final page of the Omnibus Budget under the title "Capital Budget." The overall guideline used by the Finance Committee for capital was to ensure that the annual debt and interest cost on monies borrowed to acquire the capital would be less than the retiring debt and interest, so as to not increase

future years operating expense. In addition, the Finance Committee is only recommending essentially two categories of expenditures: 1) expenditures required to complete the two building projects; and 2) capital required for replacement or refurbishment of broken or unsafe equipment; needed building repairs; and needed investment to sustain the Town and School's technology investment. The two building projects include additional costs to complete the Public Safety Building and the Middle School. These costs are above the project costs approved at prior Town meetings and represent the final costs to complete these projects.

In the case of the Public Safety Building, the amount is $441,000 primarily for equipment and furniture and represents approximately 6% of the total building budget. The overrun is attributable to costs to rectify an underground water problem encountered during construction; Aquifer Protection District by-law and building code changes during construction requiring expenditures for items not contemplated in original plans and specs; the floor drain system in the equipment bay not anticipated; and other costs above the original building estimates.

The additional costs for the Middle School are $143,000 of which $83,000 represents a roof-top heating/air conditioning unit, which cost to install and hook-up was overlooked in the original design and bid package; $10,000 relates to water disposal tanks which subsequent to completion of the project became required by the building inspector; and $50,000 related to miscellaneous items above the appropriated budget which is less than .5% of the project cost.

Other major capital items of note are: Building repairs to the Cochituate fire station and various school buildings; a replacement fire engine; and, refurbishment of a street sweeper.

FY04 REVENUES

General Fund revenues are estimated to provide $42,333,977 in FY04. Table 3 depicts the sources of revenue.

Table 3
Revenue Sources

Description	Projected FY03	Projected FY04	Difference	% Change
State Revenues	$5,021,866	$4,700,000	($321,866)	-6.41%
Local Receipts	$3,600,000	$4,000,000	$400,000	11.11%
Tax Levy	$31,796,975	$33,154,399	$1,357,424	4.27%
Allowance for 2.5%	$762,425	$828,860	$66,435	8.71%
Debt Exclusion	$2,003,723	$1,844,313	($159,410)	-7.96%
New Tax Levy Growth	$595,000	$400,000	($195,000)	-32.77%
Total	$43,779,989	$44,927,572	$1,147,583	2.62%

As shown in Table 3, revenue in 2004 is expected to increase by approximately $1,148,000 or 2.6%. Most of this increase comes from property taxes, including the 2.5% allowable increase, and local receipts. Offsetting this increase are the decline in state revenues, as explained earlier in the report, and a decline in new tax levy growth. New tax levy growth represents the additional property taxes assessed on new construction and renovations, which have been declining in recent years.

The vast majority of Town revenue is raised through property taxes (tax levy). Residential property taxes total approximately 95 % of the tax levy. Commercial, industrial and personal property taxes represent the remaining 5 % of the tax levy. Additionally, State Aid to affluent towns such as Wayland is only a small percentage of monies collected by the Commonwealth from Wayland citizens and businesses.

Miscellaneous receipts such as ambulance fees and using funds from the sale of real estate (as discussed earlier) will reduce the shortfall by $510,000. This leaves a shortfall between revenues and expenses of $2,426,167. This shortfall will be reduced by drawing on town surplus funds, also known as Free Cash.

FREE CASH

As Table 4 depicts, the $2,400,000 of free cash allocated to partially close FY04's budget deficit, representing the largest amount used in recent years.

Table 4
Free Cash Allocated to Annual Revenue

Fiscal Year	Free Cash
FY00	$ 661,140
FY01	$1,263,513
FY02	$1,750,000
FY03	$1,550,000
FY 04 (est.)	$2,400,000

While the FY04 budget requires free cash to balance the budget, the free cash balance at June 30, 2004, is expected to be $2.3 million, a reduction of $1.4 million from the expected June 30, 2003, balance.

5-YEAR CAPITAL PLAN

Capital spending is part of the overall financial plan for the Town of Wayland that the Finance Committee prepares each year as specified by the Code of the Town of Wayland. Capital needs fall into four categories: equipment, buildings, land and roads. The accompanying five year capital plan in this warrant is the starting point for capital expenditures to be considered in future years. Capital requests are summarized by Department, Board or Commission. Capital items for FY05 and later years have not been formally presented by departments nor approved by the Finance Committee.

Large capital outlays in future years include possible Library, High School, and the Cochituate Fire Station additions, renovations or new construction. The prior year's warrant included monies to fund feasibility studies on the merits and requirements of these projects. If these potential projects proceed past the feasibility phase, debt exemption overrides will be necessary.

Included in this year's warrant is an article sponsored by the School Committee for $375,000 to prepare schematics based on the results of the High School feasibility study. This is the next phase of planning for new construction and / or renovation of the High School. Part of this phase of planning will be to evaluate various building alternatives to meet educational needs required by the school committee, as well as, assess the financial impact to the taxpayers. Historically, school building projects have been partially funded through the State. For example, the Middle School addition is expected to receive 61% reimbursement from the State. However, the State has recently issued a moratorium on reimbursement on school projects, which depending on the State financial situation could impact the ultimate cost of this project to the taxpayers.

DEMOGRAPHIC TRENDS

School enrollment growth and an increasing elderly population headline Wayland's changing demographics. As table 5 displays, school enrollment growth slowed somewhat in FY03 but is expected to reaccelerate in FY04. Enrollment growth is a significant component of School Department budget growth. Since the School Department's budget constitutes 56% of the Omnibus Budget, its impact on Town expenses is significant.

Table 5
School Enrollment Growth

Year	New Students	Total Enrollment	% Change
FY99	44	2723	1.64%
FY00	72	2795	2.64%
FY01	92	2887	3.29%
FY02	35	2922	1.12%
FY03	5	2927	.17%
FY04 est.	28	2955	.96%

The graying of Wayland's population is shown in the comparison of U.S. census statistics for 1990 and 2000. (Table 6) The 75 to 84 age group grew at a rate of 76.6 %, well in excess of any other age group. As expected, the school age population also increased substantially over the ten-year period. The 5 to 20 age group showed an increase of 576 residents, the largest of any age category. Increasing school budgets, the elderly tax work off program, matching circuit breaker payments, as well as, Community Preservation Act exemptions will help these two significant age groupings.

Table 6
Population Change
1990 to 2000

Age	1990	2000	% change
Under 5	807	937	16.1%
5 to 20	2439	3015	23.6%
20 to 24	455	246	-54.0%
25 to 44	3547	3234	-8.8%
45 to 54	1815	2322	27.9%
55 to 59	699	861	23.2%
60 to 64	721	617	-14.4%
65 to 74	897	1037	15.6%
75 to 84	350	618	76.6%
85 +	144	213	47.9%
total	11874	13100	10.3%
Median age	39.4	41.4	

source: U.S. Census Bureau, Census 2000

FINANCIAL TRENDS

As reported in last year's Finance Committee report, the Free Cash balance that has been built up during the period of strong economic growth is being used prudently to soften the revenue shortfall in FY03, and FY04. We expect that Free Cash will continue to decline in FY05, especially given the State revenue reductions.

The tax rate for FY04 is expected to increase to $12.76, an increase of 1.9%. This is slightly below the 2.5% allowable limit due to reduction in exempted funded debt payments. The FY04 tax rate increase is in line with the five-year average.

Wayland's property values continue to increase significantly. Wayland's average assessed value for a single-family home increased from $384,600 in FY02 to $555,400 in FY03. A

strong school system, semi-rural character and the proximity to Boston and the beltways are all given as factors that make Wayland highly desirable.

Once again, Wayland is one of the few (12) towns in the Commonwealth of Massachusetts that earned an Aaa bond rating in 2002 from Moody's Investors Service. This rating, Moody's highest, reflects the Town's strong financial operating results, management, policies and underlying demographic and economic factors. This rating allows the Town to sell bonds with lower interest rates, thereby reducing interest expense.

Finally, in recognition of the tax burden on our elderly population, Wayland has supported a number of initiatives that reduce this financial strain for those on fixed income. Last year, the senior tax work off program funding was increased to accommodate growing elderly interest and this increased amount has been funded again in FY04. Wayland is currently only one of two towns in the Commonwealth that is matching the state credit for qualifying seniors. For example, a Wayland senior who receives $790 from the state because of the so-called Circuit Breaker legislation will also receive a $790 abatement on their real estate taxes. Seniors who qualify are also exempt from the CPA levy.

CONCLUSIONS

The Finance Committee voted 7-0 to recommend the FY04 operating and capital budget. By most statistical measures, our town and school departments are more frugal than many of our suburban neighbors. As a result, even in these difficult economic times, including reductions in State funding (which assumptions have been discussed above), the FY04 budget can be achieved without an override.

The Finance Committee extends thanks and appreciation to the Town's employees, municipal department heads and the School Superintendent for their contributions to the financial health of Wayland.

Thanks are also extended to the Town's Financial Director, Bob Hilliard, for his expert guidance.

Wayland faces a challenging financial period in FY04 and FY05, but we are optimistic that we will be able to balance the demand for services against the ability of residents with a broad range of financial situations to afford these services.

Robert L. Lentz, Chair

G. Christopher Riley, Vice Chair	Karl A. Geiger
Charles D'Ambrosio	Lisa C. Schimmel
John J. Shaw	Jane Sanford Stabile

TOWN OF WAYLAND CAPITAL PLANNING REPORT

	2004	2005	2006	2007	2008	5 year Total
SELECTMEN						
Police/Fire Station funding	$441,000					$441,000
Cochituate Fire Station	$100,000					$100,000
Selectman Subtotal	$541,000	$0	$0			$541,000
DATA PROCESSING						
Technology upgrades		$70,000				$70,000
Technology upgrades			$30,000			$30,000
Data Processing Subtotal	$0	$70,000	$30,000	$0	$0	$100,000
TOWN CLERK						
Ugrade voting system		$40,000				$40,000
INSPECTION DEPARTMENT						
Vehicle		$30,000				$30,000
Inspection Subtotal	$0	$0	$0	$0	$0	$30,000
CONSERVATION COMMISSION *						
Replace pickup truck	$22,000					$22,000
Equipment-mower			$3,500			$3,500
Carriage shed repairs				$20,000		$20,000
Conservation Subtotal	$22,000	$0	$3,500	$20,000		$45,500
POLICE DEPARTMENT						
Police Subtotal	$0	$0	$0	$0	$0	$0
FIRE DEPARTMENT						
Fire Pumper	$310,000					$310,000
Fire alarm truck remount		$70,000				$55,000
Car 1 replacement		$30,000				$26,000
Ambulance replacement		$150,000				$150,000
Engine 4 replacement			$350,000			$350,000
Car 2 replacement				$50,000		$50,000
Fire prevention car					$30,000	$30,000
Fire Subtotal	$310,000	$250,000	$350,000	$50,000	$30,000	$990,000
HIGHWAY DEPARTMENT						
Street Sweeper Refurbishing	$80,000					$80,000
5 yrd 15kgvw Dump Truck		$57,000				$57,000
Sidewalk machine with attatchments		$87,000				$87,000
3 cu yd front end loader			$165,000			$165,000
5 yrd 15kgvw Dump Truck			$57,000			$57,000
Sidewalk machine with attatchments				$88,000		$88,000
5 yrd 15kgvw dump truck				$68,000		$68,000
Front end loader with attatchements					$125,000	$125,000
Highway Subtotal	$80,000	$144,000	$222,000	$156,000	$125,000	$727,000
BOARD OF HEALTH: LANDFILL						
Replace old containers				$6,000	$6,000	$12,000
Compaction unit	$30,000					$30,000
Replace wall	$22,800					$22,800
Refurbish existing compaction units		$10,000	$10,000			$20,000
Landfill Subtotal	$52,800	$10,000	$10,000	$6,000	$6,000	$84,800
LIBRARY						
Computer equipment	$15,000	$7,500	$7,500	$7,500	$7,500	$45,000
Interior painting			$25,000			$25,000
Roof repair		$5,000				$5,000
Library subtotal	$15,000	$12,500	$32,500	$7,500	$7,500	$75,000
Non-Departmental						
Water Department	$375,900	$275,000	$797,000	$2,075,000	$425,000	$3,947,900
Septage Treatment	$0	$80,000	$75,000	$75,000	$80,000	$310,000
	$375,900	$355,000	$872,000	$625,000	$1,125,000	$4,257,900

CAPITAL PLANNING REPORT – PAGE TWO

	2004	2005	2006	2007	2008	5 year Total
PARK & RECREATION						
Half ton dump truck		$47,000				$47,000
Road to Fields at Greenways		$200,000				$200,000
Compact mower	$11,850					$11,850
Park & Rec. Subtotal	$11,850	$247,000	$0	$0	$0	$258,850
SCHOOL DEPARTMENT						
Building repairs	$89,000	$1,059,500	$195,000	$10,000	$10,000	$1,363,500
Technology	$50,000	$300,000	$300,000	$300,000	$300,000	$1,250,000
Vehicles		$55,000	$30,000	$30,000		$115,000
Copier		$80,000	$45,000	$35,000	$30,000	$190,000
Containers						$0
Furniture		$15,000	$52,000	$10,000		$77,000
Equipment		$38,500		$10,000		$48,500
Middle school construction and eq	$143,000					$143,000
School Subtotal	$282,000	$1,548,000	$622,000	$395,000	$340,000	$3,187,000
Department Totals	$1,314,650	$2,281,500	$1,270,000	$634,500	$508,500	$6,079,150

(1) Conservation Master Plan identifies numerous parcels of land that are candidates for acquisition when they become available. It is uncertain when that will be but when and if they do, money is needed for the acquisition.

Separate Funds

WATER DEPARTMENT						
Vehicles	$40,000					$40,000
Baldwin Pond treatment plant		$200,000		$2,000,000		$2,200,000
Pinebrook-boston post to old conn					$350,000	$350,000
Boston post road to pinebrook			$647,000			$647,000
Water conservation project	$75,000	$75,000	$75,000	$75,000	$75,000	$375,000
Filtration Plant	$75,000		$75,000			$150,000
Storage tanks	$120,000					$120,000
Software and equipment	$65,900					$65,900
Water Subtotal	$375,900	$275,000	$797,000	$2,075,000	$425,000	$3,947,900

TOTAL APPROVED CAPITAL BUDGET	$1,690,550

Summary of Departments	2004	2005	2006	2007	2008	5 yr total
Selectmen	$541,000	$0	$0	$0	$0	$541,000
Data Processing	$0	$70,000	$30,000	$0	$0	$100,000
Town clerk	$0	$40,000	$0	$0	$0	$40,000
Inspection Department	$0	$0	$30,000	$0	$0	$30,000
Conservation Commission	$22,000	$0	$3,500	$20,000	$0	$45,500
Police Department	$0	$0	$0	$0	$0	$0
Fire Department	$310,000	$250,000	$350,000	$50,000	$30,000	$990,000
Highway Department	$80,000	$144,000	$222,000	$156,000	$125,000	$727,000
Landfill	$52,800	$10,000	$10,000	$6,000	$6,000	$84,800
Library	$15,000	$12,500	$32,500	$7,500	$7,500	$75,000
Park & Recreation	$11,850	$247,000	$0	$0	$0	$258,850
School Department	$282,000	$1,548,000	$622,000	$395,000	$340,000	$3,187,000
Total of Departments	$1,314,650	$2,321,500	$1,300,000	$634,500	$508,500	$6,079,150
Effect of Dept Cap. on Tax Rate*	$0.46	$0.82	$0.46	$0.22	$0.18	$2.14

Assumes borrowing for major items

TABLE NO.1

WAYLAND INCOME AND EXPENSE STATEMENT	FISCAL 1999	FISCAL 2000	FISCAL 2001	FISCAL 2002	FISCAL 2003	FISCAL 2004
BUDGET	$32,606,158	$34,200,692	$37,589,288	$40,530,924	$43,120,624	$45,170,662
ARTICLES AND WATER BUDGET	$3,864,885	$17,175,471	$6,889,422	$5,495,797	$2,910,990	$4,989,413
TOTAL TOWN EXPENSE	$36,471,043	$51,376,163	$44,478,710	$46,026,721	$46,031,614	$50,160,075
NET CHERRY SHEET	($1,801,116)	($2,282,092)	($2,829,994)	($3,116,800)	($2,965,182)	($2,331,923)
OVERLAY EXPENSE	$200,000	$306,210	$200,000	$300,000	$306,000	$300,000
LOCAL RECEIPTS	($2,568,557)	($2,830,500)	($3,235,441)	($3,572,147)	($3,523,353)	($4,000,000)
OTHER SOURCES: FREE CASH, BORROWINGS, ETC.	($4,452,909)	($17,875,871)	($8,166,351)	($7,431,219)	($4,695,174)	($7,900,580)
TO BE RAISED BY TAXATION	$27,848,461	$28,693,910	$30,446,924	$32,206,555	$35,153,905	$36,227,572
ASSESSED VALUATION	$1,529,295,000	$1,910,380,200	$1,949,226,960	$1,990,529,980	$2,807,819,902	$2,839,769,902
TAX RATE	$18.21	$15.02	$15.62	$16.18	$12.52	$12.76

AVERAGE TAX BILL WILL INCREASE BY 1.9% IN FY2004,

TABLE NO.2

HISTORICAL BUDGET SUMMARY

FISCAL YEAR	SCHOOL	TOWN	TOTAL	INCREASE	%	FIXED COSTS*	OPERATING BUDGET
FY 2004	$25,650,251	$19,520,411	$45,170,662	$2,050,038	4.8%	1.1%	3.7%
FY 2003	$24,599,201	$18,521,423	$43,120,624	$2,739,700	6.8%	1.2%	5.6%
FY 2002	$22,937,619	$17,443,305	$40,380,924	$2,791,636	7.4%	1.5%	5.9%
FY 2001	$20,898,995	$16,690,293	$37,589,288	$3,408,838	10.0%	3.1%	6.5%
FY 2000	$19,131,126	$15,049,324	$34,180,450	$1,574,292	4.8%	-0.1%	4.9%
FY 1999	$18,437,289	$14,168,869	$32,606,158	$1,382,968	4.7%	-0.9%	5.6%
FY 1998	$17,390,014	$13,833,176	$31,223,190	$2,402,789	8.3%	1.1%	7.2%
FY 1997	$15,691,033	$13,129,368	$28,820,401	$1,530,250	5.6%	1.2%	4.4%
FY 1996	$14,712,621	$12,577,530	$27,290,151	$828,366	3.1%	-0.5%	3.6%
FY 1995	$14,263,883	$12,224,902	$26,461,785	$1,744,499	7.1%	1.4%	5.7%

*INCLUDES:FUNDED DEBT, INTEREST, HEALTH INS., BUILDING INS. (PROP/LIAB)

TABLE NO. 3

TOWN REVENUES	FY1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004
AUTO EXCISE	$1,200,000	$1,300,000	$1,400,000	$1,700,000	$1,700,000	$1,800,000
FEES, FINES, INTEREST	$1,350,000	$1,700,000	$1,700,000	$1,850,000	$1,850,000	$2,200,000
NET REC FROM STATE	$2,885,244	$3,162,592	$3,575,000	$4,272,000	$4,495,068	$4,168,808
TOTAL	$5,435,244	$6,162,592	$6,675,000	$7,822,000	$8,045,068	$8,168,808
RAISED FROM TAXES	$27,848,496	$28,693,891	$30,446,925	$32,206,555	$34,963,122	$36,227,571

TABLE NO. 4

PERCENT OF BUDGET BY DEPARTMENT

DEPARTMENT	%1999	%2000	%2001	%2002	%2003	%2004
GENERAL GOVERNMENT	5.3%	5.4%	5.5%	5.2%	5.2%	5.2%
PROTECTION	10.8%	11.0%	10.7%	10.1%	10.1%	10.2%
HEALTH	1.3%	1.3%	1.3%	1.2%	1.2%	1.4%
HIGHWAY	3.0%	3.0%	2.9%	2.7%	2.6%	2.6%
LANDFILL	1.1%	1.3%	1.0%	1.0%	1.0%	1.0%
VETERANS' BENEFITS	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
SCHOOLS	55.8%	55.7%	55.5%	56.7%	56.8%	56.4%
REG VOC SCHOOL	0.6%	0.2%	0.5%	0.2%	0.2%	0.4%
DIRECTOR YOUTH SERVICES	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%
LIBRARIES	1.7%	1.8%	1.8%	1.8%	1.9%	1.8%
PARK AND RECREATION	1.3%	2.2%	2.0%	1.9%	1.9%	1.8%
FEE SUPPORTED PROGRAMS	1.1%	1.0%	1.0%	1.0%	1.3%	1.2%
UNCLASSIFIED	7.7%	7.2%	6.3%	7.8%	8.1%	9.2%
DEBT AND INTEREST	10.1%	9.5%	11.1%	10.0%	9.3%	8.4%

TABLE NO. 5

DEPARTMENTAL INCREASES	BUDGET FY 2004	BUDGET FY 2003	BUDGET INCREASE	% INCREASE
GENERAL GOVERNMENT	$2,332,465	$2,240,497	$91,968	3.9%
PROTECTION	$4,577,102	$4,374,457	$202,645	4.4%
HEALTH	$612,412	$535,166	$77,246	12.6%
HIGHWAY	$1,169,933	$1,140,032	$29,901	2.6%
LANDFILL	$459,986	$451,855	$8,131	1.8%
VETERAN'S BENEFITS	$7,693	$7,693	$0	0.0%
SCHOOLS	$25,462,202	$24,512,202	$950,000	3.7%
REGIONAL VOCATIONAL SCHOO	$188,049	$86,999	$101,050	53.7%
YOUTH SERVICES	$137,629	$132,933	$4,696	3.4%
LIBRARIES	$830,696	$801,787	$28,909	3.5%
PARK AND RECREATION	$822,160	$800,101	$22,059	2.7%
FEE SUPPORTED PROGRAMS	$550,000	$550,000	$0	0.0%
UNCLASSIFIED	$4,186,998	$3,497,000	$689,998	16.5%
DEBT AND INTEREST	$3,833,337	$3,989,902	($156,565)	-4.1%
TOTAL	$45,170,662	$43,120,624	$2,050,038	4.8%

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. ***Town of Wayland***

★★★ WARRANT ★★★

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accordance with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to come to their respective polling places (Precincts 1 and 4 in the Gymnasium of the Town Building and Precincts 2 and 3 in the Gymnasium of the Middle School) on:

TUESDAY, APRIL 1, 2003, BETWEEN 7:00 A.M. and 8:00 P.M.

to vote for the following Town officers by ballot for the following terms of office:

One Planning Board member and one Housing Authority member for five years;

Two members of the Board of Selectmen, two School Committee members, one Assessor, two Road Commissioners, one Water Commissioner, two Board of Health members, one Trust Fund Commissioner, two Library Trustees, and two Park and Recreation Commissioners for three years;

One Board of Health member and one Trust Fund Commissioner for one year;

As well as such other Town Officers as may be necessary.

And to vote "Yes" or "No" upon the following question:

QUESTION NO. 1: "Shall the Town of Wayland be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to finance the cost of the schematic design phase of a project to renovate and expand facilities on land owned by the Town at the present Wayland High School site, in the principal amount not to exceed $375,000?"

You are also required to notify all such residents of Wayland to meet in the High School Field House on

THURSDAY, APRIL 3, 2003, AT 7:45 P.M.

to act on the following Articles:

ARTICLE 1: RECOGNIZE CITIZENS AND EMPLOYEES FOR EXTENSIVE SERVICE TO THE TOWN

Proposed by: Board of Selectmen

To determine whether the Town will vote to recognize certain citizens and employees for their extensive service to the Town of Wayland.

FINANCE COMMITTEE COMMENTS: This is a standard article that allows recognition and commendation of certain citizens and employees.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority

ARTICLE 2: HEAR REPORTS

Proposed by: Board of Selectmen

To determine whether the Town will vote to receive and act upon reports of Town officers, agents, trustees, commissioners, boards and committees.

FINANCE COMMITTEE COMMENTS: This is a standard article that allows reports commissioned by the Town to be heard.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority

ARTICLE 3: CHOOSE TOWN OFFICERS

Proposed by: Board of Selectmen

To determine whether the Town will vote to choose Town officers, agents, trustees, councils, commissioners, boards, and committees not elected by official ballot.

FINANCE COMMITTEE COMMENTS: This is a standard article that permits the Town to fill various positions.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, section 1.

ARTICLE 4: CURRENT YEAR TRANSFERS

Proposed by: Finance Committee *Estimated Cost: $449,767*

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various town departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise; and to determine which town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

	CURRENT YEAR TRANSFERS FY 2003	
1	TOWN COUNSEL	$25,000
2	HIGHWAY SNOW REMOVAL LABOR	$106,054
3	HIGHWAY SNOW REMOVAL MATERIALS	$118,713
4	WATER PRESERVATION PROJECT	$50,000
5	TOWN MEDICARE CONTRIBUTION	$150,000
	TOTAL CURRENT YEAR TRANSFERS	$449,767
	FUNDING SOURCE:	
	UNRESERVED FUND BALANCE	$399,767
	WATER RETAINED EARNINGS	$50,000
	TOTAL SOURCE	$449,767

FINANCE COMMITTEE COMMENTS: TOWN COUNSEL ($25,000): This request would cover an anticipated shortfall for FY03 in the Town Counsel Account. This overage is the result of litigation between the Town of Wayland and Nextel Corporation regarding their request for the placement of cell towers in zoning restricted areas of the town.

HIGHWAY LABOR AND SNOW REMOVAL MATERIALS ($106,054, $118,713): These requests cover snow removal overages for this fiscal year. The Highway Department reports that it had 20 snow and ice events this winter, requiring the use of manpower, materials and rental equipment. It was among the severest winters in this region in a decade.

WATER PRESERVATION PROJECT ($50,000): This is part of the Water Department's effort to reduce water usage in the Town. There is a state mandated requirement that the town reduce water usage. These funds will be used to plan and construct landscaping Layouts at the new public safety building that will require much less water usage for maintenance. Funds for This initiative will come from the water surplus account.

TOWN MEDICARE CONTRIBUTION ($150,000): The town is required to contribute 1.45% of salary to the Federal Government for the employer's share of Medicare membership for all new employees hired after 1992. This account has not kept up with the significant turnover of employees in both the Town and School Departments. This transfer, coupled with Funds budgeted for next year, will provide the appropriate funding level required by Federal Law.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 5: FY2004 OMNIBUS BUDGET

Proposed by: Finance Committee

To determine what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements, or other purposes, and determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS:

ARGUMENTS IN FAVOR: This budget reflects the cost of operating the Town in an efficient manner in order to deliver requested services to the residents of Wayland.

ARGUMENTS OPPOSED: Some residents might consider the budget excessive. Alternatively, the funds provided might be considered by others insufficient to perform all necessary and desired services.

RECOMMENDATION: Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

MOTION UNDER ARTICLE 5:

For what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under the motion to be made under Article 5 at the Annual Town Meeting, as follows:

"That the Executive Secretary be charged with responsibility for (1) the operation,

maintenance, and administration of the Wayland Town Building, the Public Safety Building, and the Cochituate Town Building, their equipment, and their grounds, as well as (2) the supervision, except for matters relating to policy, of all employees in those buildings, other than elected officials, non-salaried appointed officials, and employees of the School Department;

"That the appropriation under Conservation Commission for 'Conservation Fund' be maintained as a fund against future purchases and not be expended without future vote of the Finance Committee and Board of Selectmen;

"That the appropriation for 'Hydrant Rental' of $18,000 for the Water Department granted in the budget be transferred to 'Water Available Surplus';

"That the Office of the Town Clerk be continued on a salary basis and that all fees from whatever source derived be turned over to the Town as Town income;

"That property tax abatements granted to eligible senior citizens under Sections 80 and 81 of Chapter 127 of the Acts of 1999 be funded by transfer from the overlay account;

"That all fees, wages, or payments made to the Tree Warden, from whatever source, be turned over to the Town as Town income;

"That the Director of Youth and Adolescent Services and Staff be under the jurisdiction of the Youth Advisory Committee which shall report to the Town on the activities of the Director of Youth and Adolescent Services and Staff at the Annual Town Meeting. The Director of Youth and Adolescent Services and Staff will receive administrative support from the School Department."

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
	SELECTMEN			
1	SALARIES	$500	$500	$0
2	EXPENSE	$31,745	$26,957	$23,038
3	ENVIRONMENTAL AUDIT	$0	$0	$10,000
4	BEAUTIFICATION PROP	$14,875	$8,500	$5,919
5	CABLE TV STUDY	$598	$3,000	$0
	TOTAL SELECTMEN	$47,718	$38,957	$38,957
	EMERGENCY MANAGEMENT			
5b	OPERATIONS	$0	$5,000	$5,000
6	TRAINING	$0	$2,000	$2,000
7	EMERGENCY MANAGEMENT	$0	$16,000	$16,000
	TOTAL EMERGEN MNGMNT	$0	$23,000	$23,000
	TOWN OFFICE			
	SALARIES:			
	EXECUTIVE SECRETARY	$83,219	$85,773	$93,600
	PERSONNEL DIRECTOR	$62,014	$67,078	$67,423
	FIN. DIR./TOWN ACCT.	$91,284	$94,075	$97,838
	OFFICE ADMIN	$38,551	$40,746	$42,343
	S. SCHEDULE	$38,072	$39,235	$41,590
	CLERICAL	$99,645	$105,024	$111,325
	OVERTIME/LONGEVITY/SICK LEAVE	$17,711	$3,500	$15,000
8	TOTAL SALARIES	$430,496	$435,431	$469,119
9	EXPENSE	$52,000	$52,000	$54,500
10	EQUIPMENT	$4,432	$4,432	$3,650
11	TELEPHONES	$49,298	$50,000	$50,000
12	CONTRACT SERVICES	$15,400	$15,500	$16,000
13	PERSONNEL BD EXPENSE	$0	$10,000	$10,000
14	PERSONNEL BD ADJ FUND	$0	$6,750	$6,750
	TOTAL TOWN OFFICE	$551,626	$574,113	$610,019
	WAYLAND TOWN BUILDING			
15	SALARIES	$92,365	$80,327	$84,615
16	BUILDING UTILITIES	$111,048	$101,115	$101,500
17	EXPENSE	$17,354	$27,500	$26,800
17b	WWM USER CHARGES	$0	$9,786	$10,275
	TOTAL TOWN BUILDING	$220,767	$218,728	$223,190
	OTHER TOWN BUILDG-COCHIT			
18	EXPENSES	$19,757	$17,000	$17,000
	DATA PROCESSING			
	MANAGER	$73,133	$64,207	$66,775
	COMPUTER OUTREACH TECHN	$18,473	$31,511	$32,776
19	TOTAL SALARIES	$91,606	$95,718	$99,551
	EXPENSES			
20	FORMS, SUPPLIES	$18,500	$19,000	$19,500
21	EDUCATION/TRAVEL	$2,048	$2,000	$2,500
	EQUIPMENT			
22	RENTAL AND REPAIRS	$6,453	$11,000	$11,000
23	NEW APPLICATIONS/EQ.	$11,194	$5,000	$7,000
24	COMPUTER EQ./UPDATE	$10,164	$0	$0
24b	INFORMATION TECHN CONSULT	$0	$0	$0
25	PROFESSIONAL SERVICES	$64,378	$34,700	$37,400

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
	TOTAL DATA PROCESSING	$204,343	$167,418	$176,951
	TREASURER/COLLECTOR			
	TREASURER/COL. SALARY	$62,850	$67,358	$72,784
	CLERICAL SALARY	$92,545	$98,180	$102,099
	TREASURER CERTIFICATION	$0	$0	$1,000
26	TOTAL SALARIES	$155,395	$165,538	$175,883
	EXPENSES:			
27	OPERATING EXPENSE	$5,779	$6,060	$6,959
28	TAX TITLE EXPENSE	$723	$1,976	$2,580
29	EXCISE TAX PROGRAM	$193	$0	$1,775
30	BANKING SERVICES	$20,356	$19,000	$16,500
31	LOCK BOX SEVICES	$12,840	$12,600	$14,500
32	MAILING SERVICE	$0	$1,775	$0
	TOTAL TREAS/COLLECTOR	$195,286	$206,949	$218,197
	ASSESSORS			
33	SALARIES	$4,599	$4,600	$4,600
34	PROF/CLERICAL	$132,279	$135,258	$145,284
35	EXPENSE	$6,324	$7,000	$7,290
36	PROF SERVICES	$19,850	$25,000	$21,400
37	OTHER EXPENSE	$0	$1,000	$1,000
38	EQUIPMENT, MAINT, SOFTWARE	$5,950	$6,000	$6,000
39	SPEC BDGT ITEM-PROP. REASSMNT	$30,093	$40,000	$40,000
	TOTAL ASSESSORS	$199,095	$218,858	$225,574
	FINANCE COMMITTEE	$0	$160	$160
	TOWN COUNSEL			
	PROFESSIONAL SERVICES			
	SPECIAL COUNSEL	$13,222	$53,000	$38,300
	PROFESSIONAL SERVICES	$0	$0	$0
	TOWN COUNSEL	$63,955	$65,000	$80,000
	ASSOC. TOWN COUNSEL	$166,898	$0	$0
	TOTAL PROFESSIONAL SERVICES	$244,075	$118,000	$118,300
	LEGAL EXPENSES	$12,152	$7,000	$6,700
40	TOTAL TOWN COUNSEL	$256,227	$125,000	$125,000
	REGISTRARS			
	SALARY	$700	$675	$675
	LISTING	$3,266	$3,650	$3,650
41	TOTAL REGISTRARS	$3,966	$4,325	$4,325
	TOWN CLERK			
42	TOWN CLERK SALARY	$52,431	$57,645	$61,681
43	TOWN CLERK ADDED COMPENSATION	$400	$400	$400
44	CLERICAL	$34,950	$37,047	$38,562
45	CODIFICATION BY LAWS	$4,546	$5,000	$4,000
46	EXPENSE	$4,744	$4,744	$5,106
46b	FEDERAL CENSUS 2000	$1,000	$0	$0
46c	TOWN CLERK CERTIFICATION	$0	$1,000	$1,000
	TOTAL TOWN CLERK	$98,071	$105,836	$110,749
	ELECTIONS			
	OFFICERS SALARIES	$3,167	$11,436	$11,436
	EXPENSE	$4,925	$7,575	$7,575

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
47	TOTAL ELECTIONS	$8,092	$19,011	$19,011
	PLANNING BOARD			
48	EXPENSE	$5,678	$6,000	$6,000
49	PLANNING ADMINISTRATOR SAL	$48,808	$56,458	$59,521
49b	PLANNING ADMINISTRATIVE ASST.	$14,753	$23,576	$25,911
50	EQUIPMENT MAINTENANCE	$0	$250	$250
51	SPECIAL ITEMS	$8,116	$0	$0
	TOTAL PLANNING BOARD	$77,355	$86,284	$91,682
	TOWN SURVEYOR			
	TOWN SURVEYOR SAL	$60,521	$64,206	$66,775
	SURVEY/COMP SPEC SAL	$47,994	$52,188	$57,716
52	TOTAL SALARIES	$108,515	$116,394	$124,491
53	EXPENSE	$4,446	$4,500	$4,500
54	VEHICLE EXPENSE	$197	$400	$400
55	COMPUTER/COPIER MAINT.	$0	$5,500	$5,500
56	IMPLEMNT. ASST.	$0	$0	$0
57	GPS SYSTEM	$6,163	$0	$0
58	GIS SYSTEM UPDATE	$4,479	$4,500	$4,500
59	FEDERAL CENSUS 2000	$0	$0	$0
	TOTAL TOWN SURVEYOR	$123,800	$131,294	$139,391
	CONSERVATION			
60	EXPENSE	$5,584	$9,893	$10,243
61	PROF SERVICES/MISC	$0	$6,100	$6,100
62	SALARIES	$91,931	$106,441	$104,586
63	CONSERVATION FUND	$0	$0	$0
	TOTAL CONSERVATION	$97,515	$122,434	$120,929
	HISTORICAL COMMISSION			
64	EXPENSE	$500	$1,114	$1,114
	TOTAL HISTORICAL COMMISSION	$500	$1,114	$1,114
	SURFACE WATER QUALITY COM			
65	MILFOIL TREATMENT	$0	$0	$0
66	SURFACE WATER QUALITY	$213	$4,900	$4,900
	TOTAL SURFACE WATER QUALITY	$213	$4,900	$4,900
67	HISTORIC DISTRICT COMM	$280	$275	$275
	COUNCIL ON AGING			
68	SALARIES	$91,398	$108,111	$113,686
69	OPERATING EXPENSE	$7,868	$5,500	$5,500
70	TAX WORK-OFF PROGRAM	$14,880	$20,000	$20,000
71	EQUIPMENT	$400	$400	$900
71b	NEWSLETTER	$4,596	$4,950	$4,405
72	TRANSPORTATION	$30,545	$35,880	$37,550
	TOTAL COUNCIL ON AGING	$149,687	$174,841	$182,041
	TOTAL GENERAL GOVERNMENT	$2,255,298	$2,240,497	$2,332,405

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
	POLICE			
	SALARIES			
	POLICE CHIEF SALARY	$103,335	$85,920	$91,474
	LIEUTENANT SALARY	$77,802	$66,051	$68,693
	YOUTH OFFICER SALARY	$60,923	$0	$0
	SERGEANTS SALARY	$336,468	$321,624	$339,227
	DETECTIVES SALARY	$102,502	$0	$0
	SPECIALISTS	$0	$134,175	$186,057
	PATROLMEN SALARY	$578,046	$513,827	$493,144
	INTERNS SALARY	$2,718	$7,459	$7,757
	OVERTIME SALARY	$81,226	$130,097	$135,300
	HOLIDAY SALARY	$52,719	$73,907	$77,377
	SCHOOL TRAFFIC SUPR	$29,824	$31,200	$38,934
	COURT TIME	$3,890	$12,000	$12,000
	CLERK	$41,529	$38,674	$40,898
	TUITION REIMB	$3,466	$3,100	$3,200
	NIGHT DIFFERENTIAL	$0	$30,085	$29,358
	LONGEVITY	$0	$2,000	$2,050
	PRISONER WATCH	$0	$13,027	$5,000
	PROFESSIONAL STIPEND	$0	$20,437	$21,234
	ED. INCENTIVE	$0	$191,414	$190,108
1	TOTAL SALARIES	$1,474,448	$1,674,997	$1,741,811
	EXPENSE:			
2	OPERATING EXPENSE	$14,294	$16,000	$18,070
3	UNIFORM EXPENSE	$22,993	$26,040	$21,825
4	TRAINING EXPENSE	$54,689	$66,311	$68,963
5	SPECIAL SERVICES	$4,969	$5,100	$5,100
6	ANNUAL PHYSICALS	$3,649	$4,000	$4,500
7	OUT-OF-STATE TRAVEL	$370	$1,500	$1,500
8	PUBLIC SAFETY COMPUTER	$5,000	$0	$0
9	TRAFFIC CONTROL EXPENSE	$0	$25,000	$25,000
	EQUIPMENT			
10	POLICE CARS PURCHASE	$98,756	$105,326	$92,129
11	VEHICLE OPERATION EXPENSE	$17,299	$21,100	$21,100
12	NEW EQUIPMENT, MISC, OFFICE	$8,748	$6,500	$3,100
13	EQUIPMENT MAINT & REPAIR	$2,849	$3,400	$7,400
14	VEHICLE GASOLINE	$20,315	$29,700	$29,700
15	COMPUTER MAINTENANCE	$0	$5,000	$9,500
16	EQUIPMENT RENTAL	$0	$400	$800
17	RETIREMENT EXPENSE	$0	$5,000	$11,848
	TOTAL POLICE DEPT.	$1,728,379	$1,995,374	$2,062,346
	FIRE			
	SALARIES			
	CHIEF SALARY	$86,301	$90,458	$82,077
	DEPUTY CHIEF SALARY	$76,659	$59,352	$61,726
	CAPTAINS SALARY	$160,781	$168,779	$167,355
	LIEUTENANTS SALARY	$149,878	$194,766	$199,359
	FIREFIGHTERS SALARY	$694,648	$733,190	$757,061
	INCENTIVE & EMT	$21,050	$22,750	$44,785
	OVERTIME	$144,483	$107,151	$112,000
	TRAINING OVERTIME	$0	$10,000	$10,000
	CALLBACK PAY	$25,299	$22,000	$23,000
	HOLIDAY PAY	$56,503	$57,948	$93,977
	CALLMEN HOURLY	$3,745	$10,000	$12,000
	CALLMEN ANNUALLY	$800	$4,400	$4,400
	CLERICAL PART TIME	$20,728	$0	$0
	FIRE PREVENTION-PART TIME	$5,000	$6,000	$6,000
	CALLBACK PAY: AMBULANCE	$33,483	$34,000	$36,000
	CLERICAL	$0	$28,607	$25,922
18	TOTAL SALARIES	$1,479,358	$1,549,401	$1,635,662

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
19	OPERATING EXPENSE	$10,002	$10,000	$10,000
20	AMBULANCE EXPENSE	$8,001	$11,000	$11,000
21	FIRE ALARM SYSTEM EXPENSE	$3,999	$6,000	$8,000
22	TRAINING AND EDUCATION	$8,075	$10,000	$10,000
23	UNIFORM EXPENSE	$16,002	$17,000	$18,500
24	PHYSICAL EXAMS	$3,715	$5,000	$5,000
	EQUIPMENT			
25	MISC. EQUIPMENT & HOSE	$12,999	$13,000	$13,000
26	EQUIPMENT MAINTENANCE	$12,917	$15,000	$15,000
27	EQUIPMENT RENTAL	$692	$700	$700
28	VEHICLE GASOLINE	$9,925	$10,000	$10,000
29	COMPUTER MAINTENANCE	$4,940	$5,000	$5,000
	TOTAL FIRE DEPT.	$1,570,625	$1,652,101	$1,741,862
	INSPECTION/BUILDING			
	SALARIES			
	BLDG.& ZONING INSP. SAL	$60,426	$64,208	$66,775
	DEPUTY BLDG INSPECTOR	$43,544	$46,197	$48,044
	SUB INSPECTOR SALARY	$1,550	$0	$0
	WIRING INSPECTOR	$21,312	$21,968	$22,846
	OVERTIME	$0	$4,000	$4,160
	PLUMBING/GAS INSPECTOR	$20,082	$21,603	$22,846
	CLERICAL	$72,602	$74,408	$77,209
	DEPUTY PLUMBING/GAS	$0	$800	$832
	DEPUTY WIRING	$0	$800	$832
	SEALER OF WEIGHTS & MEAS., SALARY	$535	$800	$832
30	TOTAL SALARIES	$220,051	$234,784	$244,376
	EXPENSE:			
31	BUILDING & ZONING EXPENSE	$6,994	$7,000	$7,500
32	INSPECTORS EXPENSE	$3,600	$3,600	$3,744
33	ZONING BOARD EXPENSE	$2,727	$2,750	$2,750
34	COMPUTER UPDATE	$0	$0	$0
35	SPECIAL BUDGET ITEMS	$0	$0	$0
	EQUIPMENT			
36	VEHICLE EXPENSE	$1,019	$1,250	$1,500
37	VEHICLE GASOLINE	$568	$800	$800
38	COPIER	$459	$500	$500
39	CAR REPLACEMENT	$0	$0	$0
	TOTAL INSPECTION	$235,418	$250,684	$261,170
	DOG OFFICER:			
40	DOG OFFICER SALARY	$37,631	$38,750	$40,874
41	DOG OFFICER EXPENSE	$4,460	$2,920	$3,000
42	BOARD & VET FEES	$2,675	$4,270	$2,920
43	VEHICLE GASOLINE	$628	$700	$700
	TOTAL DOG OFFICER	$45,394	$46,640	$47,494
	JOINT COMMUNICATIONS			
44	DISPATCHERS SALARY	$307,310	$331,874	$373,319
45	OPERATING EXPENSE	$15,962	$18,184	$18,711
46	BLDG. EXPENSE, MAINT, REPAIR	$1,668	$12,600	$12,600
47	BLDG. EXP UTILITIES	$46,812	$47,400	$51,000
48	COMPUTER LICENSE	$5,000	$5,000	$5,000
49	UNIFORM ALLOWANCE	$1,122	$1,600	$1,600
50	BUILDING REPAIRS	$0	$13,000	$0
51	SPECIAL ITEMS WWM	$983	$0	$2,000
	SPECIAL ITEMS			
52	DIGITIZER/COPIER	$0	$0	$0
53	FIRE HELMET RADIOS	$0	$0	$0

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
	TOTAL JOINT COMM	$378,857	$429,658	$464,230
	TOTAL PROTECTION	$3,958,673	$4,374,457	$4,577,102
	BOARD OF HEALTH			
	SALARIES:			
	BOARD MEMBERS	$250	$250	$250
	ADMINISTRATIVE ASSISTANT	$52,378	$37,047	$38,562
	ADMINISTRATIVE ASSISTANT OT	$0	$2,332	$2,542
	ANIMAL INSPECTOR	$450	$450	$450
	HEALTH DIRECTOR	$64,360	$69,925	$72,784
	ANIMAL CONTROL OFFICER	$8,500	$8,755	$9,000
	HEALTH AGENT/ SANITARIAN	$40,265	$43,719	$47,581
	PART-TIME CLERICAL	$0	$16,790	$17,454
1	TOTAL SALARIES	$166,203	$179,268	$188,623
	EXPENSES:			
2	OFFICE EXPENSE	$7,497	$7,500	$7,500
3	IN STATE TRAVEL EXPENSE	$842	$1,000	$1,000
4	FRINGE BENEFITS	$1,024	$1,980	$1,980
	CONTRACT/PROF SERVICES:			
5	MENTAL HEALTH CLINICS	$47,400	$47,400	$47,400
6	COMMUNITY NURSING CARE	$217,180	$239,939	$300,836
7	MOSQUITO CONTROL	$29,100	$19,355	$19,909
8	PROFESSIONAL SERVICES/MOSQ	$7,168	$10,524	$14,364
9	VEHICLE OPERATION/MAINT/PURCHASE	$3,566	$1,200	$1,200
	SPECIAL BUDGET ITEMS:			
10	WATER QUALITY TESTING	$1,544	$3,000	$3,000
11	HAZARDOUS WASTE MGT	$14,780	$15,000	$15,000
12	CONSULTING ENGINEER	$0	$2,500	$2,000
13	FOOD INSPECTOR	$0	$6,500	$7,000
14	VISION AND HEARING TESTING EQUIP.			$2,600
	TOTAL BOARD OF HEALTH	$496,304	$535,166	$612,412
	HIGHWAY			
	SALARIES:			
	DIRECTOR OF HIGHWAY	$65,300	$71,905	$66,104
	CLERKS' SALARIES	$15,954	$69,261	$74,179
	HIGHWAY LABOR SALARY	$472,515	$516,366	$528,219
	OVERTIME LABOR	$0	$40,000	$40,000
1	TOTAL SALARIES	$553,769	$697,532	$708,502
	MAINTENANCE:			
2	MAINTENANCE OF ROADS	$47,615	$40,000	$40,000
	MAINTENANCE OF PRIVATE ROADS	$0	$0	$2,630
3	MAINTENANCE OF EQUIPMENT	$116,934	$65,000	$65,000
4	SNOW REMOVAL	$0	$51,000	$51,000
5	SNOW REMOVAL/PRIVATE WAYS	$7,000	$7,000	$7,000
6	UNIFORMS/OTHER FRINGE	$13,145	$15,000	$17,000
	CONTRACT/PROFESSIONAL SRVCS			
7	CONTRACT BASIN CLEANING	$19,783	$22,000	$22,000
8	ROAD RESURFACING	$143,557	$150,000	$160,000
9	CRACK SEALING	$14,725	$0	$0
	EQUIPMENT			
10	EQUIPMENT MISC.	$10,968	$11,000	$11,000
11	HIGHWAY FUEL	$22,745	$25,000	$25,000
	BUILDING MAINTENANCE:			

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
12	HIGHWAY GARAGE REPAIR	$13,302	$12,000	$16,301
13	WASTEWATER DISPOSAL	$15,445	$10,000	$10,000
13A	SUMP DISPOSAL	$0	$0	$0
14	HIGHWAY GARAGE UTILITIES	$22,631	$27,500	$27,500
15	OFFICE EXPENSE	$6,883	$7,000	$7,000
	TOTAL HIGHWAY	$1,008,502	$1,140,032	$1,169,933
	BOARD OF HEALTH-LANDFILL			
1	SALARIES:	$171,810	$203,429	$211,124
	EXPENSE:			
2	LEACHATE COLLECTION	$30,222	$50,000	$40,000
3	DISPOSAL OF WOOD	$26,668	$30,000	$30,000
4	FUEL	$13,139	$15,000	$13,000
	PROFESSIONAL SERVICES			
5	MISC. ENGINEERING	$20,277	$35,000	$33,200
	BUILDING:			
6	REPAIRS	$8,958	$9,500	$9,500
7	UTILITIES	$11,739	$15,000	$15,000
8	OTHER EXPENSE	$13,488	$13,500	$13,500
9	MAINT REPAIRS	$29,548	$29,600	$29,600
10	LEASE EQUIPMENT	$6,861	$7,776	$6,012
11	OTHER EXPENSE: COVER	$14,600	$14,650	$14,650
12	MISC. EQUIPMENT	$6,654	$8,400	$8,400
13	BANNED WASTE DISPOSAL	$31,303	$20,000	$30,000
14	SECURITY SYSTEM	$7,982	$0	$6,000
	TOTAL LANDFILL	$393,249	$451,855	$459,986
	VETERANS BENEFITS			
	VET BENEFIT APPROPRIATION	$1,215	$3,645	$3,645
	MISCELLANEOUS	$215	$215	$215
	SALARIES	$3,581	$3,833	$3,833
1	TOTAL VETERANS BENEFITS	$5,011	$7,693	$7,693
	SCHOOLS			
	REGULAR INSTRUCTION 1	$11,541,132	$13,067,057	$13,459,670
	SPECIAL INSTRUCTION 2	$4,223,284	$4,646,174	$4,839,277
	INSTRUCTIONAL SERVICES 3	$3,314,990	$3,790,618	$3,978,526
	OPERATIONS SERVICES 4	$1,974,307	$2,218,820	$2,397,449
	POLICY ADMIN. SERV. 5	$684,308	$779,983	$780,655
	OUT OF STATE TRAVEL 6	$5,698	$9,550	$6,625
1	TOTAL SCHOOLS	$21,743,719	$24,512,202	$25,462,202
2	REGIONAL VOCATIONAL SCHOOL	$91,779	$86,999	$188,049
	YOUTH SERVICES			
	DIRECTOR YOUTH SERVICES	$60,521	$64,152	$66,775
	ASSOC DIRECTOR YOUTH SER	$57,139	$64,051	$62,258
	CLERICAL	$0	$0	$3,866
1	TOTAL YOUTH SERV SAL	$117,660	$128,203	$132,899
2	EXPENSE	$2,970	$3,920	$4,000
3	AUTOMOBILE EXPENSE	$830	$360	$380
4	VEHICLE PURCHASE	$0	$0	$0
5	AUTOMOBILE REPAIR	$0	$450	$350
	TOTAL DIR YOUTH SERVICES	$121,460	$132,933	$137,629
	LIBRARY			
	SALARIES			
	LIBRARY DIRECTOR	$72,955	$75,133	$64,100
	ADM ASSISTANT	$42,160	$44,278	$47,503
	CHILDREN'S LIBRARIAN	$38,976	$39,080	$41,840

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
	ASST. CHILDREN'S LIBRARIAN	$35,385	$40,051	$42,962
	LIBRARY ASSISTANTS	$98,389	$146,306	$154,015
	PAGES SALARY	$9,335	$12,540	$12,630
	CLERKS SALARY	$50,716	$27,698	$32,525
	CUSTODIAN SALARY	$30,579	$32,524	$33,825
	REFERENCE LIBRARIAN	$48,817	$54,340	$55,418
	ASSISTANT DIRECTOR	$46,827	$49,255	$52,795
	HEAD OF CIRCULATION	$43,980	$46,535	$48,382
	SATURDAY DIFFERENTIAL	$0	$1,600	$1,700
	EVEN DIFFERENTIAL	$0	$2,000	$2,050
	CHILDREN'S RM PART TIME	$0	$0	$0
	COMPUTER SPECIALIST/PART TIME	$12,410	$25,597	$29,901
1	TOTAL SALARIES	$530,529	$596,937	$619,646
2	OPERATING EXPENSE	$43,504	$43,500	$43,000
3	OUT OF STATE TRAVEL	$268	$550	$550
4	TUITION REIMBURSEMENT	$2,000	$2,500	$2,500
5	MATERIALS PURCHASE	$117,999	$128,300	$133,000
6	LIBRARY AUTOMATION	$30,000	$30,000	$32,000
	TOTAL LIBRARY	$724,300	$801,787	$830,696
	PARK & RECREATION			
	SALARIES:			
	SUPERINTENDENT	$72,880	$75,033	$78,024
	LABOR	$281,204	$285,679	$303,965
	CLERICAL REGULAR	$42,224	$37,247	$38,529
1	TOTAL SALARIES	$396,308	$397,959	$420,518
	EXPENSE:			
2	REPAIRS & MISC.	$45,329	$45,335	$45,835
3	LANDSCAPE, MATERIAL & SUPPLIES	$31,488	$31,527	$31,527
4	UNIFORM EXPENSE	$3,620	$4,280	$4,280
5	TREE PLANTING	$725	$1,500	$1,500
6	PLAYGROUND SUPPLY	$0	$500	$0
7	TRAVEL & DUES IN STATE	$271	$500	$500
8	TRAVEL OUT OF STATE	$1,047	$1,050	$1,050
	EQUIPMENT			
9	MISC SMALL EQUIPMENT	$855	$1,000	$1,000
10	REPAIR SUPPLY & EQUIP	$4,921	$4,500	$4,500
	BUILDING REPAIRS			
11	LIGHTING, ETC.	$3,624	$3,650	$3,650
	CONTRACT/PROF SERVICES			
12	TREE TRIMMING	$39,411	$30,800	$30,800
13	PUBLIC WORKS EXPENSE	$1,996	$2,000	$2,000
14	DUTCH ELM DISEASE EXP	$0	$0	$0
15	DEV. CEMETERY LAND	$0	$0	$0
	TOTAL PARK & RECREATION	$529,595	$524,601	$547,160
16	FEE SUPPORTED PROGRAMS	$475,900	$550,000	$550,000
	PARK/RECREATION: POOL OPERATION			
	SALARIES	$162,986	$130,000	$150,000
	UTILITIES	$0	$40,000	$40,000
	ADMIN MATERIALS, SUPPLIES	$0	$15,500	$10,000
	MAINTENANCE MATERIALS, SUPPLY	$112,036	$35,000	$45,000
	PROGRAMS	$0	$55,000	$30,000
17	TOTAL POOL OPERATION	$275,022	$275,500	$275,000

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
	UNCLASSIFIED			
1	INSURANCE GENERAL	$233,080	$225,000	$275,000
2	INSURANCE 32B	$2,769,184	$2,761,000	$3,247,463
3	UNEMPLOYMENT COMPENSATION	$2,085	$10,000	$10,000
4	STREET LIGHTING	$77,196	$100,000	$103,000
5	HYDRANT RENTAL	$18,000	$18,000	$18,000
6	TOWN MEETING WARRANT	$12,898	$16,000	$16,000
7	RESERVE FUND	$14	$201,000	$201,000
8	PUBLIC CEREMONIES	$2,500	$2,500	$2,500
9	SURETY BONDS	$0	$800	$800
10	TOWN CLOCKS	$0	$200	$200
11	NON CONTRIBUTORY PENSION	$12,000	$12,000	$12,000
12	PENSION DISABILITY ACCT	$1,543	$10,000	$10,000
13	OCCUPATIONAL HEALTH NURSE	$6,000	$6,000	$6,400
14	MEDICARE CONTRIBUTION	$80,000	$80,000	$230,000
15	RESERVE FOR SAL SETTLEMENT	$107,011	$50,000	$50,000
16	EMPLOYEE ASSISTANCE PROG.	$0	$4,500	$4,635
	TOTAL UNCLASSIFIED	$3,321,511	$3,497,000	$4,186,998
	DEBT AND INTEREST			
	INTEREST			
1	BOND ANTICIPATION NOTES	$0	$80,000	$10,000
2	BOND ANTICIPATION NOTES EX	$26,225	$109,500	$10,000
3	ANTICIPATION REVENUE	$0	$0	$0
4	BOND ISSUE 1989	$0	$0	$0
5	BOND ISSUE EXEMPT 1989	$0	$0	$0
6	MULTI PURPOSE EXEMPT 1990	$0	$0	$0
7	MULTI PURP EX 91 HIGH SCHL	$143,638	$124,213	$110,525
8	MULTI PURP EX 91 LOKER	$7,980	$0	$0
9	MULTI PURP EX 91 LANDFILL	$1,995	$0	$0
10	MULTI PURP EXEM SCHL 1993	$113,681	$104,812	$95,675
11	MULTI PURPOSE EQUIPMENT	$0	$0	$0
12	LAND ACQUISITION EXEMPT	$116,830	$109,270	$101,710
13	MULTI PURPOSE 1996	$7,905	$5,805	$3,915
14	MULTI PURPOSE 1997	$38,862	$33,375	$27,000
15	MULTI PURPOSE EXEMPT 1997	$39,600	$32,542	$26,282
16	PUBLIC SAFETY BLDG. EXEMPT	$210,445	$199,570	$188,695
17	DECARLO LAND ACQUISITION	$1,500	$844	$281
18	DEPARTMENTAL EQUIPMENT	$19,781	$11,812	$3,938
19	FIELD HOUSE ROOF	$991	$853	$716
20	COMPUTERS	$7,500	$4,500	$1,500
21	TRAFFIC LIGHTS	$469	$281	$94
22	DEPARTMENTAL EQUIPMENT	$19,488	$14,500	$9,750
23	LAND ACQUISITION	$53,610	$47,910	$42,210
24	MODULAR CLASSROOMS/GYM	$44,675	$39,925	$35,175
25	POOL REMODEL	$15,120	$13,457	$11,795
26	STREET REMODEL	$11,829	$10,261	$8,694
27	SIDEWALK/BIKE	$4,325	$3,137	$1,950
28	TEMP BORROWING MIDDLE SCH	$231,236	$187,974	$214,440
29	LAND ACQUISITION 2001	$72,164	$68,564	$64,964
30	DEPT EQUIPMENT 2001	$26,200	$20,800	$15,600
31	SCHOOL TECH 2001	$10,000	$8,000	$6,000
32	TOWN BLDG/FIRE REPAIRS	$6,015	$5,415	$4,815
33	SIDEWALK 2001	$2,400	$1,800	$1,200
34	LANDFILL 2001	$10,025	$9,025	$8,025
35	BUILDING REPAIR	$0	$870	$0
36	RADIO REHAB 2002	$0	$144	$735
37	COMPUTERS 2002	$0	$90	$175
38	TELEPHONES 2002	$0	$66	$339
39	COMPACTOR UNIT 2002	$0	$270	$1,388
40	CONTAINERS 2002	$0	$72	$370
41	ASPHALT REPAIR UNIT 2002	$0	$150	$771
42	PICKUP TRUCK 2002	$0	$258	$1,326
43	SCHOOL TECH 2002	$0	$900	$10,805

	BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
44	SCHOOL FURNITURE 2002	$0	$495	$2,528
45	SCHOOL BLDG REPAIR 2002	$0	$420	$4,743
46	SCHOOL VEHICLES 2002	$0	$312	$1,603
47	PUBLIC SAFETY 2002	$0	$2,400	$66,160
48	TOWN POOL REPAIRS 2002	$0	$600	$7,400
49	TOWN CTR IMPROVMENTS 2002	$0	$705	$0
50	LAND PURCHASE CAZANAS	$0	$300	$1,850
51	CANOE LAUNCH	$0	$330	$1,850
52	PUBLIC WAY 2002	$0	$0	$2,800
53	SURFACE DRAIN 2002	$0	$0	$3,085
54	SEWER 2002	$0	$0	$375
55	TOWN BUILDING REPAIRS	$0	$0	$1,112
	MATURING DEBT			
56	BOND ISSUE 1989	$0	$0	$0
57	MULTI PURPOSE EXEMPT 1990	$0	$0	$0
58	MULTI PURP EX 91 HIGH SCHL	$360,000	$365,000	$360,000
59	MULTI PURP EX 91 LOKER	$140,000	$0	$0
60	MULTI PURP EX 91 LANDFILL	$35,000	$0	$0
61	MULTI PURP EXEMPT SCHL 1993	$215,000	$215,000	$215,000
62	MULTI PURP EQUIP 1993	$0	$0	$0
63	LAND ACQUISTION EXEMPT 1996	$180,000	$180,000	$180,000
64	MULTI PURPOSE 1996	$50,000	$45,000	$45,000
65	BOND SALE EXPENSE	$25,000	$32,500	$32,500
66	FINANCIAL DISCLOSURE	$2,500	$2,500	$2,500
67	MULTI PURPOSE 1997	$152,300	$147,300	$147,300
68	MULTI PURPOSE EXEMPT 1997	$150,000	$150,000	$150,000
69	PUBLIC SAFETY BLDG.	$290,000	$290,000	$290,000
70	DECARLO LAND ACQUISITION	$20,000	$15,000	$15,000
71	DEPARTMENTAL EQUIPMENT	$215,000	$210,000	$210,000
72	FIELD HOUSE REMODEL	$3,675	$3,675	$3,675
73	COMPUTERS	$80,000	$80,000	$80,000
74	TRAFFIC LIGHTS	$5,000	$5,000	$5,000
75	DEPARTMENTAL EQUIPMENT	$105,000	$100,000	$100,000
76	LAND ACQUISITION	$120,000	$120,000	$120,000
77	MODULAR CLASSROOMS/GYM	$100,000	$100,000	$100,000
78	POOL REMODEL	$35,000	$35,000	$35,000
79	STREET REMODEL	$33,000	$33,000	$33,000
80	SIDEWALK/BIKE	$25,000	$25,000	$20,000
81	LAND ACQUISITION 2001	$90,000	$90,000	$90,000
82	DEPT EQUIPMENT 2001	$0	$130,000	$130,000
83	SCHOOL TECH 2001	$50,000	$50,000	$50,000
84	TOWN BLDG/FIRE REPAIRS	$15,000	$15,000	$15,000
85	SIDEWALK 2001	$150,000	$15,000	$10,000
86	LANDFILL 2001	$25,000	$25,000	$25,000
87	BUILDING REPAIR	$0	$4,000	$3,800
88	RADIO REHAB 2002	$0	$4,800	$5,000
89	COMPUTERS 2002	$0	$3,000	$5,000
90	TELEPHONES 2002	$0	$2,200	$2,239
91	COMPACTOR UNIT 2002	$0	$9,000	$9,169
92	CONTAINERS 2002	$0	$2,400	$2,442
93	ASPHALT REPAIR 2002	$0	$5,000	$5,093
94	PICKUP TRUCK 2002	$0	$8,600	$8,762
95	SCHOOL TECH 2002	$0	$30,000	$35,000
96	SCHOOL FURNITURE 2002	$0	$16,500	$16,704
97	SCHOOL BLDG REPAIR 2002	$0	$14,000	$16,200
98	SCHOOL VEHICLES 2002	$0	$10,400	$10,593
99	PUBLIC SAFETY 2002	$0	$80,000	$80,000
100	TOWN POOL REP 2002	$0	$20,000	$20,000
101	TOWN CTR IMPROVEMENTS 2002	$0	$23,500	$0
102	LAND PURCHASE CAZANES	$0	$10,000	$5,000
103	CANOE LAUNCH 2002	$0	$11,000	$5,000
104	PUBLIC WAY 2002	$0	$0	$15,000
105	SURFACE DRAINS 2002	$0	$0	$5,000
106	SEWER 2002	$0	$0	$5,000
	TOTAL DEBT & INTEREST	$3,915,964	$3,989,902	$3,833,337

BUDGET	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
GRAND TOTAL BUDGET	$39,315,287	$43,120,624	$45,170,662
WATER DEPARTMENT			
SALARIES:			
COMMISSIONERS	$225	$225	$225
SUPERINTENDENT	$63,138	$67,315	$71,000
LABOR	$334,316	$322,576	$368,001
CLERICAL	$35,683	$50,671	$39,562
TOTAL SALARIES	$433,362	$440,787	$478,788
OPERATING EXPENSE	$481,059	$477,000	$530,500
PROFESSIONAL SERVICES	$0	$0	$0
EQUIPMENT	$209	$0	$0
POLICE DETAILS	$5,515	$0	$0
BORROWING COSTS	$349,143	$395,501	$370,026
WATER CAPITAL			
WATER CONSERVATION PROJ		WATER SURPLUS	$25,000
FILTRATION PLANT		BORROW	$75,000
STORAGE TANKS		BORROW	$120,000
VEHICLES		BORROW	$40,000
SOFTWARE AND EQUIPMENT		BORROW	$65,900
TOTAL WATER DEPARTMENT	$1,269,288	$1,313,288	$1,705,214

	CAPITAL BUDGET		
	TOWN BUILDINGS		
1	POLICE, FIRE STATION: ADDITIONAL CONSTRUCT & EQUIP	$441,000	BORROW
2	COCHITUATE FIRE STATION: BUILDING REPAIRS	$100,000	BORROW
	CONSERVATION	$22,000	BORROW
3	TRUCK		
	FIRE DEPARTMENT		
4	FIRE PUMPER	$310,000	BORROW
	HIGHWAY		
5	STREET SWEEPER REFURBISHING	$80,000	BORROW
	LANDFILL		
6	REPLACE WALL	$22,800	BORROW
7	COMPACTION UNIT	$30,000	BORROW
	LIBRARY		
8	COMPUTERS	$15,000	BORROW
	PARK AND RECREATION		
9	COMPACT MOWER	$11,850	BORROW
	SCHOOL DEPARTMENT		
10	MIDDLE SCHOOL: ADDITIONAL CONSTR & EQUIP	$143,000	BORROW
11	TECHNOLOGY	$50,000	BORROW
12	BUILDING REPAIRS	$89,000	BORROW
	GRAND TOTAL	$1,314,650	

ARTICLE 6: WATER DEPARTMENT MAINTENANCE BUDGET

Proposed by: Water Department *Estimated Cost: $1,705,214*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Water Commissioners for the operation and expenses of the Water Department; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, by borrowing or otherwise.

WATER DEPARTMENT BUDGET FY 2004

	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
Salaries			
Commissioners	$225	$225	$225
Superintendent	$63,138	$67,315	$71,000
Labor	$334,316	$322,576	$368,001
Clerical	$35,683	$50,671	$39,562
Total Salaries	$433,362	$440,787	$478,788
Operating Expense	$481,059	$477,000	$530,500
Professional Services	$0	$0	$0
Equipment	$209	$0	$0
Police Details	$5,515	$0	$0
Borrowing Costs	$349,143	$395,501	$370,026
Water Capital			
Water Conservation Project		Water Surplus	$25,000
Filtration Plant		Borrow	$75,000
Storage Tanks		Borrow	$120,000
Vehicles		Borrow	$40,000
Software and Equipment		Borrow	$65,900
Total Water Department	**$1,269,288**	**$1,313,288**	**$1,705,214**

FINANCE COMMITTEE COMMENTS: This is an annual article that provides for the Water Department operating and capital budget. The budget is essentially identical to the FY'03 budget approved by the Town, adjusted for negotiated salary increases and for new water conservation projects that are required to comply with a consent order from the Department of Environmental Protection (DEP). Those projects include Water Conservation Education, and a $25,000 retrofit Water Conservation Project to help Town departments and offices conserve water. The Water Conservation Project does not directly improve Water Department plant or equipment, but permits the Water Department to better comply with a DEP consent order; failure to comply with that order will lead to fines against the Water Department. These new water projects aside, the budget is within Finance Committee FY'04 guidelines.

ARGUMENTS IN FAVOR: This article authorizes the town to spend the money needed to operate the Water Department

ARGUMENTS OPPOSED: The Finance Committee is not aware of arguments against this article.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

ARTICLE 7: WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET

Proposed by: Wastewater Management District Commission *Estimated Cost: $192,292*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Wastewater Management District Commission for the annual operating expenses of the Wayland Wastewater Management District; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds appropriated for another purpose, by borrowing or otherwise.

WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET FY 2003

	EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
Salaries	$0	$0	$0
Operating Expense	$6,885	$20,726	$23,226
Maintenance/Repair	$20,837	$40,000	$40,000
Contract/Professional Services	$71,460	$87,582	$98,00
Debt Service	$72,515	$31,086	$31,066
Total Expenses	**$171,697**	**$179,394**	**$192,292**
Anticipated Revenues	$185,140	$179,394	$170,000
General Fund Contribution	$0	$0	$0
Retained Earnings	$0	$0	$22,292
Total Revenue	**$185,140**	**$179,394**	**$192,292**

FINANCE COMMITTEE COMMENTS: This article continues the funding of the Wastewater Management District Commission, which owns and operates a wastewater treatment facility located at the Congress Group office complex. Nearby Route 20 residents and businesses, the Town building and the New Public Safety building are all users or potential users. The expenses of the system are borne by revenues from the users.

ARGUMENTS IN FAVOR: This article provides sufficient funds for the operation of the facility. Reserves are sufficient to make up for immediate shortfalls, but expenses will have to be carefully controlled until volume picks up.

ARGUMENTS OPPOSED: There are none evident.

RECOMMENDATION: Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

ARTICLE 8: WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY BUDGET

Proposed by: Septage Committee *Estimated Cost: $721,835*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Septage Committee for the operation of the Wayland/Sudbury septage treatment facility; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

		EXPENDED FY 2002	APPROPRIATED FY 2003	REQUESTED FY 2004
1	SALARIES	$171,136	$147,892	$127,100
	EXPENSE			
2	OPERATING EXPENSE	$1,897	$3,000	$3,500
3	OTHER EXPENSE (CHEMICAL)	$13,386	$8,700	$14,000
4	EXPENSE UTILITY – MISC.	$37,216	$48,650	$45,000
5	CONTRACTED/PROF SVCES	$30,700	$33,000	$34,000
6	CONTRACT SERVICES DIRECTOR	$43,443	$50,000	$64,000
7	LEGAL SERVICES	$1,703	$5,000	$3,000
8	OUT OF STATE TRAVEL	$0	$500	$500
	EQUIPMENT			
9	CAPITAL REPLACEMENT	$31,000	$60,000	$75,000
10	PURCHASE/RENTAL	$496	$3,500	$3,000
11	MAINTENANCE & REPAIRS	$19,590	$23,000	$20,000
12	MATERIAL/SUPPLIES	$614	$4,600	$4,000
12	EMERGENCY REPAIRS			$0
	BUILDING/MAINTENANCE EXPENSE			
13	MAINT/REPAIRS/RENOVATIONS	$0	$2,000	$2,000
14	BUILDING UTILITIES	$927	$1,000	$1,000
15	**OTHER EXPENSE**	$6,934	$11,000	$9,000

	SPECIAL BUDGET ITEMS			
16	ENGINEERING SERVICES	$0	$5,000	$5,000
17	DEBT SERVICE	$78,595	$73,135	$73,135
18	SLUDGE DISPOSAL	$84,409	$89,000	$90,000
19	GROUND WATER MONITORING	$10,334	$0	$2,000
20	AUDIT, FINANCIAL SERVICES	$0	$16,000	$16,000
20	LABORATORY AND PROFESS SERVICES	$5,650	$2,500	$3,000
	INDIRECT EXPENSES			
21	ADMINISTRATION	$41,616	$40,000	$10,000
23	INSURANCE FRINGE BENEFITS	$0	$22,184	$20,000
23	OTHER INSURANCE	$4,400	$4,400	$4,000
24	RETIREMENT BENEFITS	$56,200	$17,747	$17,100
25	GREASE DISPOSAL	$6,954	$21,000	$15,000
26	SEPTAGE COMMITTEE	$0	$500	$500
27	RESERVE FOR EMERGENCY REP	$0	$0	$0
28	SEPTAGE COMMITTEE SEC.	$819	$1,000	$1,000
29	SEPTAGE BILLING UPGRADE	$0	$0	$0
30	RESERVE FOR EXTRAORDINARY REP	$12,560	$140,000	$60,000
	TOTAL BUDGET REQUEST	**$660,579**	**$834,308**	**$721,835**
	REVENUE SOURCES			
	ANTICIPATED REVENUE	$624,392	$600,000	$575,122
	RETAINED EARNINGS	$36,187	$234,808	$146,713
	TOTAL REVENUES	**$660,579**	**$834,808**	**$721,835**

FINANCE COMMITTEE COMMENTS: This article provides funds for the annual operation of the Wayland/Sudbury Septage Treatment Plant. In addition to operating expenses, the budget includes a $60,000 reserve for extraordinary or unforeseen expenditures.

The implementation of a new billing system that charges the haulers and not the residents is expected to result in a 26% increase in gallons processed. Additionally, this change should reduce clerical and administrative work currently being performed by the Septage facility as well as by Sudbury's accounting department. It will also allow the facility to accept an estimated 75,000 gallons of effluent from neighboring suburbs in FY03. To further enhance revenues, the Septage Committee voted to increase the per gallon fee from 6 cents per gallon to 6.5 cents per gallon in February of 2003.

In the first six months of FY03, the Facility received $267,141 in cash receipts and spent $193,998 in operating and debt service payments for an operating gain of $73,143 on a cash basis. This compares with an operating gain of $8,397 for the same period in FY02. It is anticipated that this operating gain will decline in the second half of FY03 and retained earnings will need to be added to balance the budget.

For fiscal year FY02, expenses exceeded revenues by $258,464. Retained earnings at FY02 year end equaled $625,551. The engineering firm Camp, Dresser and McKee is under contract to oversee the operation.

ARGUMENTS IN FAVOR: This Article provides adequate funds to operate the wastewater treatment facility. Operating expenses and debt obligations are expected to be reimbursed through fees charged to haulers and retained earnings.

Changes voted by the Septage Committee have resulted in revenue gains, and reduced operating expenses. Significant cost reductions in the proposed budget include reductions in the salary account, building energy account and the administrative fee paid to Sudbury and Wayland. Previously, each town received $20,000. This has been reduced to $10,000 ($5,000 for each Town) in the FY04 budget. Further operating efficiencies are being discussed.

ARGUMENTS OPPOSED: Part of the continuing deficits can be explained by planned disposal rate reductions. More troubling is the steady drop in retained earnings. Currently, retained earnings are used to balance the budget. A moratorium on new debt service and/or a future rate increase will eventually have to be implemented if retained earnings continue to decline.

RECOMMENDATION: Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 7 and 8.

ARTICLE 9: COMPENSATION FOR ELECTED OFFICIALS

Proposed by: Board of Selectmen

To determine whether the Town will vote to fix the salaries and compensation of all elected officers of the Town effective July 1, 2003, which salaries and compensation are printed below.

SALARY SCHEDULE – ELECTED TOWN OFFICIALS

		FY 2003	FY 2004
Town Clerk		$57,646	$61,681
Assessors	(Chairman)	$1,600	$1,600
	(2 @ $1,500)	$3,000	$3,000
Board of Health	(5 @ $50)	$250	$250
Water Commissioners	(3 @ $75)	$225	$225
TOTAL		**$62,721**	**$66,756**

FINANCE COMMITTEE COMMENTS: This is a standard article that permits the Town to pay the Town Clerk and various elected officials. The salary of the Town Clerk does not fall within the Personnel Wage and Salary Classification Plan, because it is an elected

position. As a result, Town Meeting must approve pay increases for the Town Clerk. Appointed Department heads enjoy benefits not available to elected officials, such as automatic step increases, merit increases that recognize performance, and cost of living adjustments. The only course of action for the Town Clerk is to place an article in the Warrant and a line item in the budget (the article sets the salary, the budget appropriates the monies) calling for a salary increase.

ARGUMENTS IN FAVOR: The salaries proposed reflect a fair and in some cases minimal compensation for work performed.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 108.

ARTICLE 10: PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Proposed by: Board of Selectmen *Estimated Cost: $854.95*

To determine whether the Town will vote to:

(a) pay the following bill of a prior Fiscal Year:

Vendor	Fiscal Year	Amount	Board
Deutsch, Williams, et al (Labor Counsel)	2000/2001	$854.95	Selectmen;

(b) appropriate the sum of money for the payment of the foregoing bill of a prior fiscal year; and

(c) provide for such appropriation by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission from a vendor or late submission for a Reserve Fund transfer request to the Finance committee by a Board or Department. These bills represent funds that have already been appropriated but have not been paid. In this case, in August 2000, the Town received a bill from our Special Labor Counsel , Deutsch Williams, for $854.95 for services which were provided during the Fiscal Years 2000/2001. This bill was inadvertently not paid within the time allotted under the law.

ARGUMENTS IN FAVOR: This is a bill for services that the Town has received, and it should be paid.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Four-fifths – see Massachusetts General Laws Chapter 44, Section 64.

ARTICLE 11: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS

Proposed by: Board of Selectmen and Board of Assessors

To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to one hundred percent for Fiscal Year 2004.

FINANCE COMMITTEE COMMENTS: This is an annual article that provides for tax exemptions to assist elderly and other fixed-income residents. With passage of this article at each Annual Town Meeting certain residents may avail themselves of abatements in the following amounts: $350 for widow/widower; $875 for the blind; $1000 for the elderly; and $500 for disabled veterans. The title of the Article refers to "*Increasing* Real Estate Tax Exemption Amounts" because the exemptions listed above are double the amounts in the state statute; this Article does not propose an increase over the exemptions granted in last year's Article.

ARGUMENTS IN FAVOR: This Article adds minimal tax burden to each taxpayer and provides needed support to elderly and certain residents coping with the increasing burden of paying property tax on fixed incomes.

ARGUMENTS OPPOSED: To allow the exemptions to eligible residents, the other taxpayers must pay more tax.

RECOMMENDATION: The Finance Committee recommends approval. Vote: unanimous.

QUANTUM OF VOTE: Majority – See Section 4 of Chapter 73 of the Acts of 1986.

ARTICLE 12: REVOLVING FUND FOR COUNCIL ON AGING

Proposed by: Council on Aging

To determine whether the Town will vote to authorize the continuance of a revolving fund pursuant to Chapter 44, Section 53E ½ of the Massachusetts General Laws for the Council on Aging; and to determine: (1) the programs and purposes for which such revolving fund may be expended; (2) the departmental receipts which may be credited to such revolving fund; (3) the board or officer(s) authorized to expend monies from such fund; and (4) the total amount that may be expended from such fund in Fiscal Year 2004.

FINANCE COMMITTEE COMMENTS: In 1994, the Town established a revolving fund for the Council on Aging. This article authorizes continued use through the end of FY2004 of the fund that is funded by users' fees and permits the Council to provide services at no budgetary costs to the Town.

ARGUMENTS IN FAVOR: This article will permit an additional year of financial management of fees, obtained by the Council on Aging, which provide services to a valued segment of the Town's population.

ARGUMENT OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 44, Section 53E ½.

ARTICLE 13: ADJUSTMENT OF SENIOR PROPERTY TAX EXEMPTION ELIBIGILITY FACTORS AND AMOUNT

Proposed by: Board of Selectmen

To determine whether the Town will vote to make the following adjustments to the following factors contained in Clause Forty-First C of Section 5 of Chapter 59 of the Massachusetts General Laws relative to senior citizens property tax exemption eligibility factors and exemption amounts bv: (1) reducing the requisite age of eligibility to any age 65 years or more; (2) increasing either or both of the amounts contained in the first sentence of this clause, by not more than 100 per cent; (3) increasing the amounts contained in subclause (B) whenever they appear in said subclause from $13,000 to not more than $20,000 and from $15,000 dollars to not more than $30,000; 4) increasing the amounts contained in subclause (C) whenever they appear in said subclause from $28,000 dollars to not more than $40,000 and from $30,000 to not more than $55,000; and 5) by further excluding from the determination of whole estate up to 3 dwelling units.

FINANCE COMMITTEE COMMENTS: Every year Wayland Town Meeting accepts the state legislation granting real estate tax exemptions for seniors, and allowing double the state exemption amounts for eligible Wayland residents (See Article 11, Accept Law Increasing Real Estate Tax Exemption Amounts.)

The state has changed the eligibility factors as follows:

- lowered the eligibility age from 70 to 65 years
- increased the maximum allowable income from 13,000 (single) and 15,000 (married) to 20,000 (single) and 30,000 (married)
- increased maximum allowable assets from 28,000 (single) and 30,000 (married) to 40,000 (single) and 55,000 (married)
- allowed the exclusion of a multifamily house (up to 3 units) from assets, if the house is used as the taxpayer's primary residence.

Wayland's voters must decide whether or not to accept these changes. Last year 46 taxpayers qualified for this exemption, and the average exemption was approximately $1000 per

taxpayer. It is estimated that approximately 20 more taxpayers would qualify for the exemption if this article passed.

ARGUMENTS IN FAVOR: Many older Wayland residents have trouble meeting expenses as real estate taxes rise and their incomes do not. Tax exemptions allow low-income residents to remain in their homes, and at the same time help to limit growth in the school population (thereby reducing costs to the town.)

ARGUMENTS OPPOSED: The article will slightly increase the tax burden for those not receiving the exemption, and it may increase the workload of the Assessors.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws, Section 5, Clause Forty-First C. (See Appendix B)

ARTICLE 14: HOME RULE PETITION RE: SENIOR PROPERTY TAX DEFERRAL ELIGIBILITY FACTORS AND AMOUNT

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act to change the eligibility requirements for a property tax deferral under the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause Forty-First A for persons residing in the Town of Wayland by:

i. Reducing the eligible age from 65 to 60 years;
ii. Increasing the maximum annual income from $40,000 to $60,000;
iii. Eliminating the requirements for a minimum length of ownership of the home (presently 5 years) and continuous domicile in Massachusetts (presently 10 years); and
iv. Reducing the annual interest rate on deferred tax payments from 8% to 4%.

FINANCE COMMITTEE COMMENTS: Clause 41A of Section 5 of Chapter 59 of the Massachusetts General Laws allows deferment of taxes against a lien on the owner's estate. Interest is added to the amount owed. This article asks the Town to petition the General Court to make the same changes made in 2002 for the Town of Sudbury, reducing the interest rate from 8% to 4% and making more people eligible (by reducing the minimum age from 65 to 60, increasing the maximum income from 40,000 to 60,000, and eliminating the prior residency requirement) The interest rate reduction is not permanent; the rate would be reviewed annually and could be raised by a vote of Town Meeting, but not to more than 8%.

ARGUMENTS IN FAVOR: By allowing seniors to remain in their homes, the Town can

both help many long-time citizens. This Article does not reduce tax revenue; it merely delays it, and eventually the Town will receive interest on the deferred amounts. This is not a new program, but an extension of an existing deferment procedure to a larger population of taxpayers. The current interest rate of 8% should be adjusted reflect the current economic climate.

ARGUMENTS OPPOSED: The rate reduction will result in a small loss of interest income to the Town, and will increase the workload of the Assessors.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 6-1.

QUANTUM OF VOTE: Majority – See Massachusetts Constitution Amendment Article 2, Section 8 (1). (See Appendix C)

ARTICLE 15: AMEND CURRENT BY-LAWS CHAPTER 12

Proposed by: Council on Aging

To determine whether the Town will vote to amend Chapter 12, Section 12-3 of the Code of the Town of Wayland by (a) deleting the title of Treasurer from the list of Board Officers; (b) changing the title "President" to "Chairperson"; (c) changing the title "Vice President" to "Vice Chairperson"; and (d) changing the date of the annual meeting from April to June.

FINANCE COMMITTEE COMMENTS: This article changes the word "President" to "Chairperson" and changes the word "Vice President" to "Vice Chairperson." The article also changes the date of the Council's Annual Meeting from April to June. These changes incorporate discussion and votes by the Council on Aging.

ARGUMENTS IN FAVOR: This article will bring Town By-Laws into line with Council on Aging By-Laws.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendments are consistent with Massachusetts and federal law. (See Appendix D)

ARTICLE 16: FUND ACQUISITION OF SENIOR CITIZENS HANDICAPPED VAN

Proposed by: Board of Selectmen *Estimated Cost: $7,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the Town's share of the cost to acquire a van to transport senior citizens and those with disabilities as part of the Mobility Assistance Program established by the Commonwealth of Massachusetts Executive Office of Transportation and Construction; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: At present the Council on Aging provides transportation in accessible van on demand for seniors and handicapped users weekdays between 9:00 a.m. and 3:00 p.m. by subcontract to a local transportation company. The majority of the cost is borne by the town, although users do make a small contribution per ride. The purpose of this article is to increase the hours of operation to between 8:00 a.m. and 4:00 p.m. weekdays, an addition of 2 hours per day.

In 2002 the Board of Selectmen appointed a Transportation Committee to study transportation options for seniors and disabled persons. The committee recommended extending the hours of operation and proposes to do this by taking advantage of the Mobility Assistance Program of the Mass. Exec. Office of Transportation, which will provide 80% of the purchase price of $35,000 of a new vehicle, in this case $28,000, with the Town providing 20% or $7,000. This vehicle would be leased to a transport company at no cost, with the provision that the company gives the town the extra two hours of service per day at no additional cost. It is expected that all costs of insurance, licensing, maintenance, inspection and labor, etc. will be assumed by the transportation company. In essence the new vehicle would be substituted for the one presently used. The present transport company has quoted a price increase of $12000 per year to provide the additional service under the present contract, so the proposed arrangement appears cost effective.

No matter what the arrangement, it should be noted that the town can receive a reduction in its annual MTA assessment of 50% of the costs it incurs in transporting handicapped patrons meeting MTA guidelines. In Wayland at present there are approximately 7 such people, but it appears that more would be eligible. This reduction will also apply to the van purchase, amortized over a five-year period.

Passage of this article would mean that the Council could apply as of July 0 2003 for the van purchase, the delivery of which would be in December 2005. Should state funding be denied or curtailed, the purchase would not be made.

ARGUMENTS IN FAVOR: This appears to be a cost effective method for the town to provide the additional hours. It is important to note that the details of the lease must be carefully arranged to protect the Town.

ARGUMENTS OPPOSED: Since the transport company would have the use of the van at all times beyond the hours reserved to the Town, the Town has little control over the van's maintenance. There is some question as to whether the extra hours are needed, since the present voucher program covering these hours has seen little use. There may also be additional administrative costs not accounted for.

RECOMMENDATION: The Finance Committee recommends approval. Vote 6 - 1.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 17: PAYMENT VOUCHER PROGRAM FOR SENIOR CITIZENS AND THOSE WITH DISABILITIES

Proposed by: Board of Selectmen *Estimated Cost: $5,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen to fund a transportation voucher program for persons with disabilities and senior citizens; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: Currently the Town has a contract to provide accessible transportation for seniors and disabled individuals between the hours of 9:00 a.m. and 3:00 p.m., five days a week, with a 24-hour notice period. This article would provide for a system of vouchers to permit these people to travel for emergencies beyond these hours and during normal hours when the van is already in use. On average, the ride cost is estimated at $40 and the vouchers would cover half of that, the user paying the remainder. Issuance of the vouchers would be by the Director of the Council on Aging. In fiscal 2003, a State grant of $1,000 has covered this program.

ARGUMENTS IN FAVOR: This would enable fuller service options for individuals in need of transportation beyond the present available hours and in emergencies or when the available van is occupied.

ARGUMENTS OPPOSED: Although this service is now available through the State grant, there has been little call for it. The Council on Aging will again apply for the same grant for fiscal 2004, and if received, should cover the needs.

RECOMMENDATION: The Finance Committee recommends against approval. Vote 1-5-1

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 18: PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN

Proposed by: Personnel Board *Estimated Cost: 4% of FY2002 Salary Expenditures*

To determine whether the town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan previously adopted by the Town by making the additions, deletions and modifications thereto, and by establishing effective dates for such amendments as set forth in Appendix E to this Warrant.

FINANCE COMMITTEE COMMENTS: The Personnel Board proposes in this article that pay tables for all Town employees included under the provisions of the Wage and Classification Plan be increased effective July 1, 2003, by 4% above the pay rates which became effective July 1, 2002. (Proposed new rates are shown in the Appendices to this Warrant)

ARGUMENTS IN FAVOR: Labor contracts in force with all union employees provide a 4% wage adjustment effective July 1, 2003. Providing corresponding pay rate increases to those employees of the Town who are not included in bargaining units due to their managerial or confidential status is a fair and equitable action.

ARGUMENTS OPPOSED: These are difficult fiscal times. The Town needs to pursue legitimate options to minimize increases in the cost of Town government. Across-the-board pay increases are inconsistent with those objectives.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 41, Section 108A.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendments are consistent with Massachusetts and federal law. (See Appendix E)

ARTICLE 19: FUNDING FOR REPAIR OF THE TOWN'S HISTORIC GRAVESTONES

Proposed by: Community Preservation Committee, Wayland Historical Commission, and Wayland Historic District Commission *Estimated Cost: $65,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Historical Commission for the purpose of funding Phase II of the Wayland Historical Commission's program of restoration and preservation of the historic gravestones at the oldest sections of the three Town-owned cemeteries; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: Over the past several years, the Wayland Historical Commission has had an ongoing concern over the deteriorating condition of a large number of historically significant gravestones in the oldest sections of the three Town-owned cemeteries. Site reviews conducted by members of the WHC as well as professional preservation consultants have shown that many headstones and grave markers dating from the earliest settlement of Wayland through the early 1800's are rapidly disintegrating and are in dire need of pro-active, professional care before they are damaged beyond repair. The North Cemetery, in particular, contains a variety of unique, historically and culturally significant headstones, providing a visual record of the town from its inception in the 1630's, through the 1800's. The town's original settlers are interred there, along with a significant number of Revolutionary War and War of 1812 veterans. Town notables and ancestors of the original settlers are buried in all three cemeteries. Despite continued best maintenance efforts by the Park and Recreation Department, many gravestones are in danger of being irrevocably damaged and require professional assessment and repair recommendations/procedures. Indeed, since the Wayland Historical Commission began its recent preservation efforts, several additional gravestones have further deteriorated due, primarily, to harsh winter conditions. The $10,000 appropriated by 2002's Town Meeting was designated for use in developing a detailed assessment and remediation plan. This appropriation will allow the Town to commence repair work.

ARGUMENTS IN FAVOR: The funding for this project would come from Community Preservation Act (CPA) funds, which have already been collected by the Town. The CPA mandates that at least 10% of receipts be earmarked for historic preservation initiatives; 10% for open space; and 10% for affordable housing.

A favorable vote by Town Meeting will not increase the Town's tax rate; CPA funds to be used for this initiative have already been collected.

ARGUMENTS OPPOSED: Although the law requires at least 10% of collected CPA funds to be allocated to historic preservation initiatives, Wayland's CPC can choose to "bank" funding for the benefit of a future historic preservation initiative. There may be other, more pressing, historic preservation initiatives that will require future funding.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 20: PLANNING STUDY TO CREATE A RAILROAD INTERPRETIVE SITE

Proposed by: Community Preservation Committee, Wayland Historical Commission, and Wayland Historic District Commission *Estimated Cost: $15,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Historical Commission for an assessment and viability study as part of the Wayland

Historical Commission's railroad restoration and preservation initiative; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Town of Wayland's unique collection of railroad artifacts is recognized by the Massachusetts Historical Commission as noteworthy, unique in the Commonwealth, and eligible for listing in the National Register of Historic Places. Important structures include the Freight House (in the Library parking lot) and the Wayland Depot (already on the National Register); partially obscured objects include the engine house foundation, turntable pit, and lamp, whistle, and stop sign posts. It is the hopes of the Commission to create an interpretive site that preserves those artifacts and creates an opportunity for Wayland residents to better understand the importance of the railroad in our town's social and economic history. Given recent attention to determining improvements to Wayland Center, the CPC and the Historical Commission feel this is a timely effort that would benefit from CPA funding.

ARGUMENTS IN FAVOR: The funding for this project would come from Community Preservation Act (CPA) funds, which have already been collected by the Town. The CPA mandates at least 10% of receipts be earmarked for historic preservation initiatives; 10% for open space; and 10% for affordable housing.

A favorable vote by Town Meeting will not increase the Town's tax rate; CPA funds to be used for this initiative have already been collected.

ARGUMENTS OPPOSED: Although the law requires at least 10% of collected CPA funds to be allocated to historic preservation initiatives, Wayland's CPC can choose to "bank" funding for the benefit of a future historic preservation initiative. There may be other, more pressing, historic preservation initiatives that will require future funding.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 21: FUND STUDY RE: ESTABLISHMENT OF BOW ROAD LOCAL HISTORIC DISTRICT

Proposed by: Petitioner *Estimated Cost: $2,500*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Historic District Commission or an historic district study committee appointed pursuant to Massachusetts General Laws chapter 40C to conduct an investigation and prepare a report on the historical and architectural significance of the buildings, structures or sites to be included

in the proposed Bow Road Historic District; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: To the untrained eye, there are number of homes and structures in the Bow Road area that are architecturally interesting and very old. The purpose of this article is to fund a study to determine if indeed the area may qualify as being historically significant, and thus become an extension of the current Wayland Historic District. Partial studies have been performed in the past on several of the structures. This body of work will be accessed by the current proposed study, which has been factored into $2,500 cost. This article addresses the study activity only and not the actual establishment of an extension to the current Wayland Historic District.

PETITIONER COMMENTS: As current times lead people to develop larger and more modern homes, Wayland is in danger of losing one of its most concentrated areas of historically significant homes as well as the neighborhood atmosphere of Bow Road. A study of Bow Road will help determine how significant this area is and is a required step in the process of discussing the idea with the citizens of Wayland.

ARGUMENTS IN FAVOR: The Wayland Historic District Commission supports this article. Preservation of our historic treasures and open spaces will help keep the rural atmosphere of Wayland intact and curtail development.

ARGUMENTS OPPOSED: It is unlikely that Community Preservation Act funds can be used to fund this study. During this time of fiscal pressure, there may be other, more pressing needs in the Town.

RECOMMENDATION: The Finance Committee does not recommend approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7. (See Map at Appendix F)

ARTICLE 22: WAYLAND VETERANS MEMORIAL

Proposed by: Board of Selectmen

To determine whether the Town will vote to approve a site near the entrance to the Wayland Town Building for a veterans memorial, honoring all residents and others who have served in the military forces of the United States, and a preliminary design of the memorial as a basis for the Veterans Memorial Committee to obtain cost estimates for approval of funding at a future town meeting.

FINANCE COMMITTEE COMMENTS: The Veterans Memorial Committee was authorized at the 2001 ATM. Subsequently, the Selectmen appointed members to this committee with the charge of recommending a site, a design and sources of funding for a Wayland Veterans Memorial.

Although there are various memorials scattered around town, Wayland lacks a memorial recognizing the contributions and sacrifices of its residents who served in the United States military.

A site has been selected that is near the front entrance to the Town Building. A preliminary design will be presented at a public meeting prior to ATM. If this article passes, it is expected that the Veterans Memorial Committee would present a final site, design and request for funds at the 2004 ATM.

ARGUMENTS IN FAVOR: The proximity of the recommended site to the town offices and playing fields and ease of access should allow for substantial observation and visitation. The Park and Recreation Department, on whose land the memorial would be located, is in favor of the site. Park and Recreation asked for the opportunity to review the design prior to it being finalized.

ARGUMENTS OPPOSED: Prior to the printing of the Warrant, the preliminary design had not been presented at a public hearing. Therefore, comments or critiques of the initial rendering are not known at this point.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 4-1

QUANTUM OF VOTE: Majority

ARTICLE 23: DEMOLITION OF SIGNIFICANT BUILDINGS OR STRUCTURES BY-LAW

Proposed by: Wayland Historical Commission, Planning Board, Wayland Historic District Commission

To determine whether the Town will vote to amend the Code of the Town of Wayland by adopting and adding thereto the following new chapter regulating the demolition of significant buildings or structures:

CHAPTER 196
DEMOLITION OF SIGNIFICANT BUILDINGS OR STRUCTURES

SECTION 1 INTENT AND PURPOSE

This By-Law is adopted for the purpose of protecting the historic and aesthetic qualities of the Town by preserving, rehabilitating or restoring, whenever possible, buildings or

structures which constitute or reflect distinctive features of the architectural or historic resources of the Town, thereby promoting the public welfare and preserving the cultural heritage of the Town. This By-Law applies only to the exteriors of buildings and structures.

SECTION 2 DEFINITIONS

For the purposes of this By-law, the following words and phrases have the following meanings:

2.1 Board of Assessors: the entity authorized by state law or local By-Law to maintain assessment data on buildings and structures in the Town.

2.2 Building: any combination of materials forming a shelter for persons, animals or property.

2.3 Day: calendar day.

2.4 Demolition: any act of pulling down, destroying, removing, burning by arson, dismantling, or razing a building or structure, or any substantial portion thereof, or commencing the work of total or substantial destruction with the intent of completion of the same.

2.5 Demolition Permit: a written approval for demolition of a building or structure issued by the Building Commissioner in response to an application for such a permit.

2.6 Historic District: an historic district established by the Town pursuant to Chapter 40C of the Massachusetts General Laws or special law.

2.7 Building Commissioner: the official or person authorized by state law or Town By-Law to issue demolition permits in the Town.

2.8 Historical Commission: the Wayland Historical Commission.

2.9 Preferably Preserved Significant Building or Structure: any historically or architecturally significant building or structure which is established, after a public hearing by the Historical Commission, to be worthy of preservation in whole or in part.

2.10 Premises: the entire parcel of land upon which the Significant Building or Structure is or was located.

2.11 Significant Building or Structure: any building and/or structure, or portion thereof, not within an historic district, but which meets one or more of the following criteria:

A. It is listed on, is within an area listed on, or is within 200 feet of the boundary line of an area listed on, the National or State Register of Historic Places, or is the subject of a pending application for listing on said National or State Register;

B. It is:

(1) determined by majority vote of the Historical Commission to be importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic or social history of the Town of Wayland, The Commonwealth of Massachusetts, or the United States of America; or

(2) determined by majority vote of the Historical Commission to be

historically or architecturally important by reason of period, style, method of construction, or association with a particular architect or builder, either by itself or in the context of a group of buildings or structures.

2.12 Structure: the combination of materials or part thereof other than a building, including but not limited to a bridge, dam, tower, silo, monument, or stone wall.

2.13 This By-Law: Chapter 196 of the Code of the Town of Wayland.

2.14 Twelve-Month Delay: the twelve-month period, dated from the submission of the Historical Commission report.

SECTION 3 PROCEDURE

3.1 No demolition permit for a building or structure, which is in whole, or in part fifty (50) years or more old from the date of the demolition permit application shall be issued without following the provisions of this By-Law. For purposes of this By-Law, the age of a building or structure shall be determined from information contained in records on file in the Building Commissioner's Office and in the Office of the Board of Assessors. If the only information about the age of a building or structure contained in such records is the year of construction, such building or structure shall be presumed to have been constructed on December 31 of the year of construction. If a building or structure is of unknown age, it shall be assumed that the building or structure is over 50 years old for the purposes of this By-Law.

3.2 No owner, tenant or occupant of any premises shall undertake any demolition of a building or structure on such premises without first submitting an application for a demolition permit in accordance with this By-Law. A permit for the demolition of a building or structure shall be issued only upon compliance with the provisions of this By-Law.

3.3 The Building Commissioner shall forward a copy of each demolition permit application for a building or structure identified in SECTION 2 of this By-Law to the Historical Commission. Every application for a demolition permit for a building and/or structure subject to the provisions of this By-Law, as provided in SECTION 2 of this By-Law, shall be filed with the Building Commissioner and shall contain the following information:

A. the address of the building and/or structure to be demolished;
B. the owner's name, current address and telephone number;
C. a brief description of the type of building and/or structure and of the proposed demolition; and
D. the date of construction of the building and/or structure as established by the Board of Assessors, deed, or other documentation.

3.4 The Historical Commission will provide written notice to the Building Commissioner upon receipt of the demolition permit application identified in SECTION 3.3. Within fourteen (14) days after its receipt of such application, the Historical Commission shall determine whether or not it is a Significant Building or Structure. The determination of whether or not a building or structure is a Significant Building or Structure within the meaning of this By-Law may be by a majority vote of the

Historical Commission or by a single member of the Historical Commission designated by majority vote of the Historical Commission to make such determinations for the Historical Commission. Written notice of any such designation shall be filed in the Office of the Town Clerk and with the Building Commissioner within seven (7) days after the designation is made.

3.5 If the Historical Commission determines that the building or structure is not significant, it shall so notify the Building Commissioner and the applicant in writing and the Building Commissioner may issue a demolition permit. If the Historical Commission determines that the building or structure is a Significant Building or Structure, it shall notify the Building Commissioner and the applicant in writing that a demolition plan review must be made prior to the issuance of a demolition permit. If the Historical Commission fails to notify the Building Commissioner and the applicant of its determination within fourteen (14) days after its receipt of the application, then, providing the Building Commissioner has received written notice pursuant to Section 3.4 that the Historical Commission received the demolition permit application, the building or structure shall be deemed not significant, and the Building Commissioner may issue a demolition permit.

3.6 If the applicant decides to proceed, then within forty-five (45) days after the applicant is notified that the Historical Commission has determined that a building or structure is a Significant Building or Structure, the applicant for the permit shall submit to the Historical Commission seven (7) copies of a demolition plan, which shall include the following information:

A. the address of the building and/or structure to be demolished;
B. the owner's name, current address and telephone number;
C. a brief description of the type of building and/or structure and of the proposed demolition;
D. the date of construction of the building and/or structure as established by the Board of Assessors, deed, or other evidence;
E. photographs of the building and/or structure, as follows:
   (1) all elevations of the building and/or structure;
   (2) the view from the street of the building and/or structure;
   (3) the view of the building and/or structure that would encompass the proposed area of demolition; and
   (4) at least two street or neighborhood views that place the building and/or structure in proximate context to neighboring buildings and structures.
F. a map showing the location of the building or structure to be demolished with reference to lot lines and to neighboring buildings and structures;
G. the reason for the proposed demolition and data supporting said reason; and
H. plans for proposed restoration or building.

3.7 Within sixty (60) days of receipt of the materials required under SECTION 3.6, the Historical Commission shall hold a public hearing with respect to the application for a demolition permit, and shall give public notice, at the expense of the applicant, in a local newspaper of the time, place and purposes thereof at least seven (7) days before said hearing in such manner as it may determine, and by mailing, postage

prepaid, a copy of said notice to the applicant, to the owners of all adjoining property and other property deemed by the Historical Commission to be materially affected thereby as they appear on the most recent real estate tax list of the Board of Assessors, or the Planning Board, or any person filing written request for notice of hearings, and to such other persons as the Historical Commission shall deem appropriate to receive notice. The Historical Commission will establish policies and procedures to expedite the scheduling of said hearing and will strive to hold said hearing within thirty (30) days of the receipt of materials required under SECTION 3.6. Within seven (7) days after the closing of the public hearing, the Historical Commission shall file a written report with the Building Commissioner on the demolition plan which shall include the following:

A. a description of the age, architectural style, historical association and importance of the building or structure to be demolished; and

B. a determination as to whether or not the building or structure should be Preferably Preserved and the reasons therefor.

3.8 If, following the demolition plan review, the Historical Commission does not determine that the building or structure should be Preferably Preserved, or if the Historical Commission fails to file a report with the Building Commissioner within the time limit set forth in SECTION 3.7, then the Building Commissioner may issue a demolition permit.

3.9 If, following the demolition plan review, the Historical Commission determines that the building or structure should be Preferably Preserved, then the Building Commissioner shall not issue a demolition permit for a period of twelve (12) months from the date of the Historical Commission's public hearing set out in SECTION 3.7 unless the Historical Commission informs the Building Commissioner prior to the expiration of such twelve (12) month period that it is satisfied that the applicant for the demolition permit has made a bona-fide, reasonable and unsuccessful effort to find a way to preserve, rehabilitate or restore the building or structure, or has agreed to accept a demolition permit on specified conditions approved by the Historical Commission.

3.10 In the event that the Historical Commission determines that the building or structure be Preferably Preserved, the following conditions apply:

A. A demolition permit cannot be issued by the Building Commissioner until:

(1) all plans for the use of the site after demolition have been found to comply with applicable laws; and

(2) all permits and approvals for the development have been obtained.

B. Demolition permits granted after Historical Commission review shall be valid for six months, concurrent with the six-month duration of the demolition permit issued by the Building Commissioner, as set forth in the State Building Code, 780 CMR. If the demolition has not occurred within six months, the Historical Commission may renew the permit, after reviewing the application and considering any new historical information about the structure or site which may have come to light.

SECTION 4 EMERGENCY DEMOLITION

If the condition of a building or structure poses a serious and imminent threat to public health or safety due to its deteriorated condition, the owner of such building or structure may request the issuance of an emergency demolition permit from the Building Commissioner. As soon as practicable after the receipt of such a request, the Building Commissioner shall arrange to have the property inspected by a board consisting of the Building Commissioner, the Chairs of the Historical Commission and the Board of Health, and the Chief of the Fire Department, or their respective designees. After the inspection of the building or structure and consultation of this board, the Building Commissioner shall determine whether the condition of the building or structure represents a serious and imminent threat to public health or safety and whether there is any reasonable alternative to the immediate demolition of the building or structure which would protect the public health and safety. If the Building Commissioner finds that the condition of the building or structure poses a serious and imminent threat to public health or safety, and that there is no reasonable alternative to the immediate demolition thereof, he or she may issue an emergency demolition permit to the owner of the building or structure. Whenever the Building Commissioner issues an emergency demolition permit under the provisions of this SECTION 4, he or she shall prepare a written report describing the condition of the building or structure and the basis of the decision to issue an emergency demolition permit with the Historical Commission. Nothing in this SECTION 4 shall be inconsistent with the procedures for the demolition and/or securing of buildings and structures established by Sections 6 through 10 of Chapter 143 of the Massachusetts General Laws. In the event that a Board of Survey is convened under the provisions of Section 8 of said Chapter 143 with regard to any building or structure identified in SECTION 2 of this By-Law, the Building Commissioner shall request that the Chair of the Historical Commission or his or her designee accompany that Board of Survey during its inspection. A copy of the written report prepared as a result of such inspection shall be filed with the Historical Commission.

SECTION 5 NON-COMPLIANCE

Anyone who demolishes a building or structure identified in SECTION 2 of this By-Law without first obtaining, and complying fully with the provisions of, a demolition permit, shall be subject to a fine of three hundred dollars ($300) for each day, not to exceed sixty (60) days, during which such person was not in compliance with the provisions of a demolition permit. Upon a determination by the Historical Commission that a building or structure is a Preferably Preserved Significant Building or Structure, the owner shall be responsible for properly securing the building or structure, if vacant, to the satisfaction of the Building Commissioner. Should the owner fail to secure the building or structure, the loss of such building or structure through fire or other cause shall be considered demolition. In addition, unless a demolition permit was obtained for such demolition, and unless such permit was fully complied with, the Building Commissioner, shall not, for a period of three (3) years after the date of demolition issue a building permit for erection of a building and/or structure, paving of driveways or for parking pertaining to any premises on which a building or structure identified in SECTION 2 of this By-Law has been demolished.

SECTION 6 BUILDING PERMITS

No permit for the erection of a new structure on the site of an existing Significant Building or Structure may be issued prior to the issuance of a demolition permit for such existing building or structure.

SECTION 7 RELATIONSHIP TO ZONING BY-LAWS

The grant of a demolition permit by the Historical Commission under this By-Law shall not be construed as approval by the Town of Wayland for the construction or reconstruction of any building or structure on the property. Once a demolition permit has been approved for issuance by the Historical Commission under this By-Law, unless the Building Commissioner has determined that the proposed construction may proceed as a matter of right, the recipient of that demolition permit must obtain all approvals required under the Wayland Zoning By-Law, if any, for any such construction or reconstruction before a building permit shall issue.

SECTION 8 APPEALS TO COURT

Any person aggrieved by a determination of the Historical Commission under this By-Law may seek judicial review of such determination pursuant to the provision of Massachusetts General Laws Chapter 249, Section 4.

SECTION 9 SEVERABILITY

In the event that any section, paragraph or part of this By-Law is declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part of this By-Law shall continue in full force and effect.

FINANCE COMMITTEE COMMENTS: This article introduces a by-law that requires property owners seeking to demolish a structure to first receive approval by the Historical Commission if the structure is fifty years old or older. The by-law establishes a twelve-month waiting period if the Historical Commission determines that the structure is "Preferably Preserved" The by-law does not prevent demolition per se: the Building Department can sign the demolition permit after the waiting period has expired. The by-law does not establish precise criteria for determining whether a structure should be "Preferably Preserved." Eighty-nine communities in the Commonwealth currently have demolition delay by-laws; most are modeled on the Massachusetts Historical Commission model by-law, which is the basis for the by-law proposed here. Waiting periods in these eighty-nine communities range from 14 days to 12 months, with all but a few communities having delays of 6 months or less. Most of the by-laws surveyed have criteria comparable to those proposed here for determining whether a structure comes within the provisions of the by-law; some communities, however, specifically identify the structures or properties affected. Most by-laws commence the review process only when property owners apply for demolition permits. Some by-laws, however, let property owners petition the Historical Commission for a determination of applicability in advance, and have the determination binding for a specified number of years thereafter.

ARGUMENTS IN FAVOR: No governmental body currently has the means to protect historic structures that are outside of the Wayland Center Historic District; there is no mechanism today to delay the demolition of an historic structure. The protection of the town's aesthetic character is essential to maintaining Wayland as a highly desirable place to live. Without this by-law, Wayland risks losing invaluable historic structures making Wayland less special and ultimately less desirable. Municipalities have used demolition delay by-laws successfully to find ways to preserve historic structures. Municipalities with these by-laws also send a clear message to residents and would-be residents, that preserving community character is an important town value. In Wayland's specific case, the Master Plan Advisory

Task Force has created a vision statement for Wayland's future stressing that Wayland should continue to be a "semi-rural" community, with historic character and ample open spaces. This by-law supports that vision. Moreover, the provisions within this by-law comply with the Massachusetts Historical Commission model by-law, which represents implementation experiences in the nearly 90 communities in the Commonwealth that have enacted this by-law. Experience suggests that short waiting periods have not protected historical structures from demolition. The twelve-month delay sought in the proposed by-law is the length of time recommended by the Massachusetts Historical Commission for effective preservation of historical structures.

ARGUMENTS OPPOSED: Preserving genuinely significant and historic structures is laudable, but the by-law can be used to pursue different interests because the criteria for 'significant' are so broadly worded. The proposed by-law, for instance, could be used to discourage "tear-downs" broadly throughout Wayland. Experience from other communities suggests that this does not materially discourage builders who construct large houses on speculation. Savvy builders with deep pockets simply start the clock on the waiting period early by applying for demolition permits well in advance of the actual demolition date. The broad criteria in the proposed by-law, however, materially affect small homeowners who have legitimate interests in remodeling or reconstructing their houses. An alternative is to specifically identify the structures covered by the by-law. Several communities follow this approach to avoid infringing on the rights of small homeowners.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 1 in favor of approval; 6 against approval.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendments are consistent with Massachusetts and federal law.

ARTICLE 24: LAWN IRRIGATION BY-LAW

Proposed by: Water Department

To determine whether the Town will vote to amend the Code of the Town of Wayland by:

a) adding thereto and adopting the following new chapter regulating law irrigation systems:

CHAPTER 191
LAWN IRRIGATION SYSTEMS

1. Statutory authority

This by-law is adopted by the Town of Wayland under its common law police powers to protect public health and welfare, Massachusetts General Laws Chapter 40, Section 21 and

under the Town of Wayland's authority to regulate water use through its Board of Water Commissioners pursuant to Chapter 80 of the Acts of 1878.

2. Purpose
The purpose of this by-law is to protect, preserve and maintain the public water supply, health, safety and welfare of the citizens of the Town of Wayland

3. Definitions
As used in this by-law, the following terms shall have the meanings indicated:
Outdoor underground water sprinkler system-- Any underground sprinkler device, together with all pipes appurtenant thereto, used to water outside areas, and hereafter referred to as "system" or "systems". Aboveground sprinklers attached to hoses and existing systems so long as they are not expanded, are specifically exempt from the provisions of this article.
Person-- Any individual, corporation, trust, partnership or association or other entity.
Public Water Supply-- Any water, which is fully or partially drawn from a well operated by the Town of Wayland.
This By-Law – Chapter 191 of the Code of the Town of Wayland.
Water Customer—Any individual, corporation, trust, partnership or association or other entity that owns property, which is receiving water from the public water supply.

4. Prohibited outdoor underground water sprinkler systems.
No person shall install or expand a system, which is connected to the public water supply if said system after installation or expansion covers an area of 15,001 square feet or more.

5. Restrictions
A. No person shall install or expand a system connected to the public water supply, which covers an area of 15,000 square feet or less unless an application has been made to pursuant to this By-Law and approval of said installation or expansion has been approved pursuant to this By-Law.

6. Applications
A. Any application for the installation or expansion of a system which covers an area of 5,000 square feet or less shall be made by completing the "short form" application.
B. Applications for the installation or expansion of a system which covers an area of more than 5,000 square feet and less than 15,001 square feet shall be made by completing the "long form" application.

7. System Requirements
A. All systems installed or expanded under this By-Law shall be installed or expanded pursuant to all local and State laws and regulations and shall include a backflow device (approved by the Wayland Water Department), a rain gauge, a moisture detector, a programmable automatic timer and a shut off valve.
B. All systems installed or expanded under this By-Law shall obtain an appropriate plumbing permit from the Gas and Plumbing Inspector of the Town of Wayland.
C. All systems installed or expanded under this By-Law shall be maintained pursuant to the regulations of the Wayland Water Department.
D. All systems installed or expanded under this By-Law shall be installed outside of any road easements, which run in the favor of the Town of Wayland, and any roads

owned by the Town of Wayland.

E. No portion of a system shall be installed or expanded within fifty (50) feet of bordering vegetated wetlands.
F. No portion of a system shall be installed or expanded within twenty-five (25) feet of the leaching area or a tank of a sanitary septage system.

8. Approval Process.

A. Fees. All applications to install or expand a system shall include an application fee of $50.00.
B. The application shall include the name and address of the property owner and the installer, acknowledgement of the requirements of this By-Law, a drawing and calculation of the area covered by the system and any additional information the Board of Water Commissioners require to reasonably identify and evaluate the compliance of the proposed system.
C. The Water Superintendent or designee shall approve the short form application if the Water Superintendent or designee determines that said system covers a land area of 5,000 square feet or less and complies with the provisions of this By-Law.
D. The long form application shall be approved by the Board of Water Commissioners or designee if the Board of Water Commissioners or designee determines that said system covers a land area of 15,000 square feet or less and complies with the provisions of this By-Law.

8. Rules and Regulations.

The Wayland Board of Water Commissioners shall have the authority and duty to adopt, issue and administer any additional rules and regulations necessary for the administration, operation and enforcement of outdoor underground water sprinkler systems connected to the public water supply. Any such rules and regulations shall be consistent with the provision of this By-Law.

9. Penalties.

Any person violating this By-Law shall be subject to the following:

A. Written notification of a violation by Water Superintendent or the Board of Water Commissioners. Said notification shall include a demand that said system comply with the By-Law within thirty (30) days receipt of the notification or that said system be removed.
B. A fine of two hundred fifty ($250.00) dollars per day for each day after the initial thirty (30) days that the system is in violation of this By-Law.
C. After the initial thirty (30) days a notice of termination of water services in no less than seven (7) days may be served upon the water customer by a duly appointed Constable of the Town of Wayland. The notice shall be served to the water customer in hand or left at the address given for billing purposes and mailed to that address. Notice shall include a statement that the water customer may appeal a decision to terminate water services by requesting a hearing before the Board of Water Commissioners. Water service may be terminated seven (7) days after receipt of the notice to terminate or after a majority vote of the Board of Water Commissioners, if the water customer has requested a hearing. Receipt of the notice shall be presumed to be three (3) days after the notice is mailed or the day of in hand service. After water service has been terminated, a reconnection fee of two hundred seventy five

($275.00) dollars during normal business hours, or reconnection fee of two hundred seventy five ($275.00) dollars plus overtime fee of two hundred ($200.00) dollars after normal working hours, will be charged prior to renewing water service. Payment of said fees must be made before reconnection. In lieu of terminating water services, the Board of Water Commissioners by a majority vote may assess a fine in the amount of two hundred fifty ($250.00) dollars per day for each day after the initial thirty (30) days that the system is in violation of this By-Law.

D. Fines shall be recovered by indictment or on complaint before the District Court or by noncriminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. After disposition favorable to the Town of Wayland, any outstanding unpaid civil fines shall be placed on the water customer's water bill. The enforcing person shall be the Water Superintendent or designee.

10. Severability

The invalidity of any portion or provision of this By-law shall not invalidate any other portion or provision thereof; and

b) amending Chapter 1, Article II, § 1-2 thereof by adding to said section the following new paragraph:

I. Chapter 191 of the Code of the Town of Wayland – Lawn Irrigation Systems

(1) Penalty:

a) A fine of two hundred fifty ($250.00) dollars per day for the first offense.

b) Termination of water services for a subsequent offense.

(2) Enforcing persons: the Water Superintendent or other person (s) designated in writing by the Board of Water Commissioners.

FINANCE COMMITTEE COMMENTS: Currently, Wayland exceeds the amount of water it is authorized to pump by the Commonwealth of Massachusetts. The Massachusetts Department of Environmental Protection (DEP) also alleges that the Town is among the highest per person users of water in the Commonwealth. In order to bring Wayland into compliance, the DEP has issued a Consent Order, which requires the Wayland Water Commissioners to enact policies to reduce water use.

One of the largest uses of water is for outdoor underground water sprinkler systems. The proposed by-law seeks to limit the size of new or expanded outdoor underground water sprinkler systems to 15,000 square feet of area. A resident wishing to install an outdoor underground sprinkler system would need to file an application and pay a $50.00 fee. Failure to comply with the by-law after written notification by the Water Superintendent could result in monetary fines or termination of water services.

ARGUMENTS IN FAVOR: The proposed by-law will reduce the growth of future water use and allow the Town to show a good faith effort in complying with the DEP Consent Order. Moreover, there is the possibility that the DEP might impose sizeable fines if water consumption is not reduced by December of 2003. It is hoped that this by-law will limit future

strain on the wells and the storage system in the summer months. By limiting additional irrigation system growth, the existing water quality will be better protected.
This article is one of many steps that the Water Department is taking in its effort to promote water conservation and protect one of our most valuable natural resources.

ARGUMENTS OPPOSED: By exempting existing irrigation systems so long as they are not expanded, this by-law might be seen as unfair to residents who anticipate installing or expanding one in the near future. The reduction of water use caused by this by-law might not be sufficient to allow the Town to comply with the DEP daily water use limits. This by-law will not prohibit landowners from sinking a private well on their property. A proliferation of private wells might have a negative impact on Wayland's aquifer(s) and water quality. The daily fine of $250 imposed after thirty days of non-compliance and the threat of termination of water service might be perceived as excessive.

RECOMMENDATION: Finance Committee recommends approval. Vote: 4-3

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendments are consistent with Massachusetts and federal law.

ARTICLE 25: SCHEMATIC DESIGN SERVICES FOR WAYLAND HIGH SCHOOL

Proposed by: School Committee *Estimated Cost: $375,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the School Committee for the purpose of funding design fees and other required services to complete the schematic design phase of a project to renovate and expand Wayland High School; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

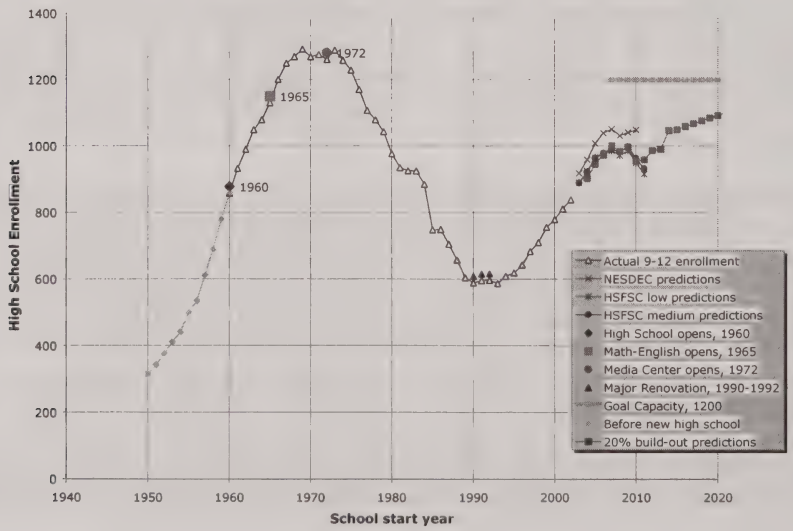
FINANCE COMMITTEE COMMENTS: This article represents the School Committee's request for $375,000 for the schematic design phase of the project which is estimated to be 15% of the total design cost of $2.5M (5 % of an estimated $50M cost). As originally proposed, this article was to cover the entire design. However, the Commissioner of Education announced on February 11, 2003, a moratorium on state reimbursement for building projects. The moratorium precludes reimbursement for funds raised under this article, which led the School Committee to limit this request to funding only the schematic design.

This article request is the result of the High School Feasibility Study Committee's (HSFSC) report released on November 18, 2002. (It can be found on the website: www.wayland.k12.ma.us)

The report concluded that due to enrollment increases and the need for additional space, extensive renovation and/or new construction is warranted.
Wayland High School (WHS) was built in 1960 with additions in 1965 (Math-English building) and 1972 (Media Center), and renovations in 1972 (Commons and Arts building) and 1990-1991 (new roofs, new heating and ventilation system, improved classroom designs, asbestos removal, substantial interior renovations). Thus, the school buildings range in age from 30 to 42 years, and have had significant renovations 12 years ago.

The schematic design phase will consist of a refinement of plans considered by the HSFSC for the renovation and enlargement of WHS to satisfy the educational plan for WHS and to consider thoroughly ways to save money in consideration of the potential diminution or loss of state reimbursement. If design monies are approved at Annual Town Meeting, the appointed High School Building Committee (related article) would anticipate completing schematic design work by Fall of 2003. An article requesting funds for architectural drawings and bid specifications would likely be presented at a special Town Meeting, and an article requesting funds for a major renovation and/or new construction would then be presented to Town Meeting in April 2004. If successful, construction would start in 2004 and be completed by September of 2007.

ARGUMENTS IN FAVOR: Wayland High School needs to be enlarged because of increasing enrollment and renovated to address degrading facilities that will become progressively less suitable for the school's educational program. Even though the High School held a larger number of students in the 1970's, use of space has changed dramatically. There are more small-group classes. State-mandated special education and increased use of computers and technology require significantly more space. The chart below details the history of enrollment at the High School and the projections from a variety of sources that result in a design capacity of 1,200 students.



The educational plan developed by the HSFSC and the administration of the Wayland Public Schools estimates a need for 220,000 square feet of space to house the expected student population. The High School currently contains 160,000 square feet of space.

The HSFSC considered a range of options to upgrade the high school, from non-reimbursable minor renovations to major renovations and new construction, and concluded that the best course was to recommend modernized expansion (estimated to cost between $40M and $50M) as necessary and cost effective. In brief, doing nothing ($0M) or only a code upgrade ($9M) does not solve the overcrowding. A minimal addition ($20M) will improve existing classrooms and add a block of new classrooms. The $20M does not satisfy other needs such as enlarging the overburdened cafeteria or adding an auditorium.

Specific space needs detailed in the report included science labs, regular instructional classrooms, a 750-seat auditorium, and an enlarged cafeteria. Following this schematic design phase, successful votes for architectural services and for construction would enable the School Department to address these shortcomings.

Despite constraints (wetlands, Town well, easements) the current WHS site can accommodate an enlarged facility. No other site in Wayland has been found adequate for such a facility. The School Committee will use the $375,000 to refine options and create schematic design drawings. Low interest rates make this an advantageous time to undertake a school building project. The funds requested in FY04 will allow the planning process for a renovated and enlarged High School to continue on schedule and prepare the High School to serve Wayland's students for decades.

ARGUMENTS OPPOSED: The current buildings are judged by the HSFSC to be sound and expected to last another 30 to 40 years. Although these structures do not meet current building codes, they could be brought into substantial compliance for about one fourth ($10M) of the cost estimated for an expanded high school (although this would not address the forecast overcrowding).

From 1966 to 1975, the High School housed 1200 or more students. Accordingly, it might be argued that the current space is adequate for high school enrollment estimates projected over the next decade.

In past Wayland school building projects, state monetary assistance (SBA) has contributed up to 61 % of the total design and construction cost. It is known that current SBA assistance will be reduced, causing the Wayland taxpayer to shoulder a greater share of school building cost. The current moratorium precludes any reimbursement for this schematic design phase of the project.

In light of the present economic climate, announced reductions in state aid for FY03 and FY04, and the likelihood that the expenditure of these funds will lead immediately into a full scale High School construction project, the approval of this article will place an increased burden on property taxes and is ill advised at this time.

Finally, if Town Meeting were to approve the design fee article but not approve the construction, the money spent for architectural services would not qualify for state assistance, and the borrowed funds would have to be repaid over five, not 20, years.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 4-1.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 26: APPOINTMENT OF A HIGH SCHOOL BUILDING COMMITTEE

Proposed by: School Committee

To determine whether the Town will vote to authorize a committee appointed by and accountable to the School Committee to be hereafter known as the High School Building Committee, to effect the renovation and expansion, equipping and furnishing of the Wayland High School, which committee shall be composed of eleven members, nine appointed by the School Committee, one appointed by the Finance Committee, and one appointed by the Board of Selectmen.

FINANCE COMMITTEE COMMENTS: This article would allow the School Committee to appoint a High School Building Committee to oversee the continued planning for the eventual construction of a new or renovated and expanded High School. The Committee would be responsible for the continued analysis of the recent High School Feasibility Study, for the selection of an architectural firm to develop a schematic design for the high school, and, at an unspecified time in the future, for choosing a construction manager, preparing and advertising construction bids, hiring a contractor, and monitoring construction activities. The Committee will be composed of town residents who have expertise in architecture, engineering, finance, and other areas deemed important to assure a successful completion of the project. Those skills and talents notwithstanding, the committee membership will be comprised of no more than eleven permanent members. Appointment to the High School Building Committee will be in the following manner: nine members selected by the Wayland School Committee, one appointed by the Finance Committee, and one appointed by the Board of Selectmen. Once appointed, the High School Building Committee shall be accountable to the School Committee and shall issue regular reports on the progress of the high school project.

ARGUMENTS IN FAVOR: In past major school building projects, building committees under the supervision of the School Committee have successfully overseen the projects from design to completion. The most recent example is the Middle School Building Committee. This article allows the elected town committee with the keenest interest in the high school project to appoint the majority of the building committee members, with two additional members appointed by the Finance Committee and Board of Selectmen. The School

Committee has stated that they intend to choose appointees based on expertise in order to oversee the project adequately. They also expect the High School Building Committee to represent a cross section of the town's residents. Allotting two committee appointments to be made by other town boards will ensure broad representation of community interests on this advisory committee to the School Committee

ARGUMENTS OPPOSED: It could be argued that to avoid any question of bias, the Committee should be appointed by the Selectmen or other qualified town committees. Some residents have argued that the Town would be better served by appointing a permanent building committee to manage town construction activities, but no proposal has been made to form one.

RECOMMENDATION: Finance Committee recommends approval. Vote: 5-0

QUANTUM OF VOTE: Majority.

ARTICLE 27: SPECIAL ACT RE: FILED SUB-BID LAW EXEMPTION FOR SCHOOL BUILDING PROJECTS

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act providing that the school building programs of the Town of Wayland shall not be subject to the provisions of Section 44F of Chapter 149 the Massachusetts General Laws, except for the form of contract set forth in paragraph (c) of subsection (4) of said section 44F, for any future design, construction, repair, renovation, remodeling, equipping, furnishing or any partial or complete demolition of public school facilities in the Town of Wayland.

FINANCE COMMITTEE COMMENTS: Section 44F of Chapter 149 of the Massachusetts General Laws sets forth regulations and processes for municipalities to follow regarding the design, specification, bidding and construction of Public buildings and projects. One key component of the regulation is known as the Filed Sub-Bid Law. The general provisions of this law are as follows:

- Specifications of a building project must be subdivided into 17 subcontractor trades that are recognized by the Commonwealth (for example: plumbing, roofing, electrical, heating and ventilation, masonry, etc.).
- Contracts are then advertised to subcontractors and bids are collected.
- After the subcontractor bids are received, general contractors (who are ultimately responsible for project costs and schedules), select sub-contractors from the bidders list to be on their team.
- The general contractors then add their own fees and tasks and submit an overall bid for the entire project.

- Municipalities then award the contract to the general contractor on the basis of lowest bid rather than best overall package.

The Filed Sub-Bid Law was passed in 1939, when the number of subcontractors had been ravaged by the Depression. The law was meant to assure that subcontractors would not be excluded from public construction projects since, at that time, private construction projects were few.

This article seeks to exempt the Town of Wayland from following the provisions of the Filed Sub-Bid Law with regard to its public school facilities. In recent years Boston, Brockton, Everett, Malden, Medford, Milton, Revere, Waltham and Winchester have petitioned for, and been granted, exemptions from Section 44F of Chapter 149 for their public school projects.

It should be noted that the Massachusetts Department of Education, at its October 22, 2002 meeting, recommended to the General Court that all school construction projects be exempted from the Filed Sub-Bid Law. In addition, the January 30, 2003 Romney administration's municipal relief package, dubbed H.E.L.P. (Help Ease Local Pressure), proposes complete elimination of the Filed Sub-Bid Law.

ARGUMENTS IN FAVOR: Wayland, like most municipalities, is struggling to keep general finances under control and ensure that current and future construction projects come in within cost and schedule parameters. According to the Pioneer Institute, a public policy research organization, many believe that the Filed Sub-Bid Law is responsible for the negative impacts of: (1) unnecessary project cost increases; (2) the creation of an adversarial relationship between general contractors and their subcontractors; (3) increased litigation between general contractors and subcontractors; (4) a tendency to proliferate change orders during construction; (5) schedule slippages and delays; (6) incentivizing defective work; (7) impeding both equal access and affirmative action for minority and women subcontractors because they have not mastered the specialized "rules of the game"; and (8) awarding contracts based solely on lowest price rather than best value. Also, the Massachusetts Department of Education and the Romney administration support elimination of the Filed Sub-Bid Law.

ARGUMENTS OPPOSED: According to the Associated Subcontractors of Massachusetts, there are no statistics anywhere showing that the Filed Sub-Bid Law increases the cost of public construction. There is no evidence that the Filed Sub-Bid Law causes more change orders, delays, cost overruns or disputes. The Filed Sub-Bid Law guarantees fair and open competition thus reducing rather than increasing costs. The Law prevents favoritism and corruption in the award of contracts and produces excellent results.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – See Massachusetts Constitution Amendment Article 2, Section 8 (1). (See Appendix G)

ARTICLE 28: AMEND GENERAL BY-LAWS RE: NONCRIMINAL ENFORCEMENT (BODY ART ESTABLISHMENTS AND PRACTITIONERS RULES AND REGULATIONS)

Proposed by: Board of Health

To determine whether the Town will vote to amend Chapter 1, Article II, § 1-2 of the Code of the Town of Wayland by adding the following to Paragraph G thereof:

(2) Practitioner practicing without a license:
three hundred dollars per day

FINANCE COMMITTEE COMMENTS: The Board of Health has established Rules and Regulations for Body Art Establishment and Practitioners. Town Meeting amended the General By-laws in 2002 to establish fines for violating those rules and regulations. The Attorney General for Massachusetts ruled that the fine voted by Town Meeting was excessive, and directed the Town to adopt a penalty more in keeping with practices elsewhere in the state. This article amends the General By-Law to establish fine that would be approved by the Attorney General.

ARGUMENTS IN FAVOR: The Town needs to establish credible penalties to enforce rules and regulations involving public safety. The rules established for body art establishments are not enforceable until the Town adopts a fine that will be approved by the Attorney General.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any arguments opposed to the specific scope of this article.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with federal and state law. (See Appendix H)

ARTICLE 29: FUND THE DESIGN FOR IMPROVEMENTS TO THE INTERSECTION AT MAIN STREET AND COMMONWEALTH ROAD

Sponsored by: Planning Board *Estimated Cost: $57,000*

To determine whether the Town will vote to appropriate a sum of money to design improvements to the intersection or Main Street and Commonwealth Road; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer from funds appropriated for another purpose, by grants received from the Commonwealth or Federal Governments, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: During the past year, the Route 30 Traffic Intersections Committee, in conjunction with an engineering consultant, has developed a plan to improve the intersection at Cochituate Center. The committee has concentrated on improving the safety of the intersection for both vehicles and pedestrians, providing ADA compliance, and providing aesthetic improvements. The first phase of the project is design, which will make the proposal and its funding precise. The project is estimated to cost between $500,000 and $600,000. It is during the design phase where unresolved cost issues related to road reconstruction and land takings associated with the corners and sidewalks will be addressed.

ARGUMENTS IN FAVOR: This intersection has not been updated in decades. Its traffic signals are obsolete, and the lack of proper lanes and signaling promote a high accident rate. Safety is a primary concern; the conditions are very dangerous and immediate attention is called for.

ARGUMENTS OPPOSED: For fiscal reasons, this project should be postponed in favor of higher-priority items. This proposed project is substantially higher in cost than the Oak Street/Route 30 intersection. The project may increase the traffic along Route 30 and Route 27. The current plan will widen the intersection to include three additional left hand turn lanes. This substantially larger intersection is more Route 9 in character than Cochituate Village in character. A different alternative with fewer turn lanes may be more appropriate.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 4-2 with 1 Abstention.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 30: ZONING BY-LAW AMENDMENTS, RE: EARTH MOVEMENT

Sponsored by: Planning Board

To determine whether the town will vote to amend the Zoning By-Laws, Chapter 198 of the Code of the Town of Wayland, Article 1, §198-104.2 by adding the following definitions thereto and by making the following additions and deletions from Article 5, §198-504:

(key to amendments: underlining denotes additions; ~~strikethrough~~ denotes deletions)

§198-104.2. Definitions

Earth - "earth" shall include soil, loam, sand, gravel, clay, rock or other natural minerals and peat.

Movement - "Move or Movement" shall mean to dig, excavate, remove, deposit, fill, grade, replace, level, or otherwise alter or change the location or contour of land.

§ 198-504. Earth ~~removal~~ movement. [Amended 5-14-1998 ATM by Art. 47]

504.1. ~~The removal of sod, loam and gravel, stone or other earth materials from any premises in any district, including such removal to effect topographical changes, shall be allowed only if a~~ No earth in excess of 50 cubic yards nor change to topography equivalent to the movement of 50 cubic yards shall be moved on any parcel of land in any district less than 40,000 square feet in area and no earth in excess of 150 cubic yards nor change to topography equivalent to the movement of 150 cubic yards on any parcel of land in any district 40,000 square feet or more unless a special permit from the ZBA is obtained in accordance with the procedure provided in § 198-203, and only under such conditions as the ZBA may impose, with the following exceptions:

> 504.1.1. ~~Removal necessary for the construction or alteration of a building for which a permit has been issued, including the installation of walks, driveways and other appurtenances to said building, provided that the quantity of material to be removed as certified by a registered professional engineer or land surveyor, or the Town Surveyor, does not exceed that displaced by the building, walks, driveways and other appurtenances.~~ Where necessary as a part of farm, garden or nursery activities.
>
> 504.1.2. When such earth movement is not necessary in connection with the construction of a structure being built in accordance with a permit issued by the Building Commissioner or designee, the amount to be moved to be limited to the volume of the foundation and basement of the structure, and including excavation activities for accessory structures, swimming pools, tennis courts, basketball courts, patios, septic systems, driveways, and walkways. The quantity of material to be moved shall be certified by a registered professional engineer or land surveyor.
>
> 504.1.~~2.~~3. Movement on Town-owned land and transfer between or among such parcels.

504.2. Nothing contained in § 198-504.1. shall prevent the continued use of any land for the purpose for which it is used at the time § 198-504.1. takes effect or prevent the use of any land for farms, gardens, nurseries, cemeteries, parks, playgrounds and such purposes as are incidental to, or usual in connection with, any of said purposes.

504.3. Before a special permit is issued, the applicant shall show to the satisfaction of the ZBA that the removal will not impair the usability of the area for the purposes permitted in this Zoning By-law, that the grades to be established within the area will permit vehicular access to the area and the continuation of streets from the abutting premises, and that the area may ultimately be developed compatibly with the neighboring land.

504.4. The removal of sod, loam, sand, gravel or quarried stone from within a subdivision, the plan of which has been approved by the Planning Board and duly recorded in the Middlesex

South District Registry of Deeds, shall be permitted as of right when and to the extent that such is necessary for the lawful construction or alteration of a way shown on said plan or for the lawful installation of utilities, drainpipes or drain structures in said subdivision, provided that the quantity of sod, loam, sand, gravel or quarried stone so removed shall not exceed that in place in the particular space to be occupied by such way, utilities, drainpipes or drain structures, and subject to any requirements made by the Planning Board endorsed or referred to on the plan of such subdivision.

FINANCE COMMITTEE COMMENTS: This article amends the existing earth moving by-law to make it pertain not only to earth removal from a property but earth movement within a property and changes in a property's topography, and at the same time sets specific limits to the amount of material which can be moved without a special permit. Certain activities are exempted as is earth movement on or from Town owned land.

ARGUMENTS IN FAVOR: The proposed amendments will help to ensure that the earth removal and earth moving activities do not negatively impact adjacent properties and the landscape. Excessive and uncontrolled earth movement can result in the modification of surface drainage patterns, loss of vegetative cover, and change the character of a neighborhood or landscape.

ARGUMENTS AGAINST: The proposed amendments place new regulations and limits to the amount of topographic change an owner may make to a property. This increased regulation may be viewed as unduly restrictive, and an intrusion on the rights of the property owner Because house foundations, septic system, swimming pools, are exempted, in addition to farms, nurseries, gardens, and Town owned land are exempted, large movements of material are really not controlled.

RECOMMENDATION: The Finance Committee recommends against approval. Vote 5-1.

QUANTUM OF VOTE: Two-thirds – See Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendments are consistent with Massachusetts and federal law. (See Planning Board Reports at Appendix N)

ARTICLE 31: PEDESTRIAN AND TRAFFIC SAFETY

Sponsored by: Petitioners

To determine whether the Town will vote to direct and instruct the Board of Selectmen and/or the Board of Road Commissioners, as the case may be, to adopt rules regulations, and orders, and install all necessary road signs to effectuate the following:

A) Prohibition of a right turn onto West Plain Street from Old Connecticut Path, Monday

through Friday from 6-9 a.m., so that northbound commuters' direction of travel is so limited;

B) Prohibition of a left turn onto Old Connecticut Path from West Plain Street, Monday through Friday, from 4-7 p.m., so that southbound commuters' travel is so limited.

C) Adopt and enforce a schedule of fines for violations of any of the foregoing traffic restrictions and limitations, with suggested schedule being: first violation – warning, second violation - $50, third violation - $100, subsequent violations - $250.

FINANCE COMMITTEE COMMENTS: This Article is advisory. If passed, it would inform the Selectmen and Road Commissioners that the voters wanted them to prohibit left turns from West Plain Street to Old Connecticut Path during the morning rush hours and right turns from Old Connecticut Path to West Plain Street during evening rush hours. Violators would be fined. Because the Article is non-binding, the Selectmen and/or Road Commission could implement changes, which would be similar, but not identical to those outlined in the Article. It offers a conceptual framework within which the Boards may implement the sense of the town.

PETITIONER COMMENTS: A development is planned on the Framingham/Wayland border that the developer estimates could add more than 800 cars per day to West Plain Street, and more than 5,000 cars per day to Old Connecticut Path. Wayland's roads will be significantly less safe with so much additional traffic. The character and quality of life in our town also will be negatively impacted. This article is an attempt to protect our town from traffic conditions that will become markedly less safe in the near future.

PRO ARGUMENT: How article helps to achieve goal of improving safety and reducing congestion on Wayland's roads:

1. Reduces congestion on West Plain Street, East Plain Street, and Route 27, which are some of Wayland's most popular pedestrian walking roads. Many of Wayland's youth and elderly live adjacent to these streets.
2. With even limited police enforcement, the rate of compliance should be greater than 50% of commuters. West Plain Street sees significant police patrol now and this article will make it significantly safer.
3. Persistent enforcement of this article could or should more than pay for itself in a very short time.
4. Commuting residents of Wayland and other towns to the West and North that use West Plain Street currently will be unaffected, since morning commuters from the North can still turn left onto West Plain Street in the A.M., and right off of West Plain Street in the P.M.
5. These provisions eliminate dangerous backup at the corner of West Plain Street and Old Connecticut Path during P.M. rush hours. Since all cars must turn right, there will no longer be the left turn backup; this change assists Wayland commuters who head north from West Plain. In addition, it will virtually eliminate the problem of afternoon northbound cut-through via Mansion Road to Lakeshore to Simpson and Hawthorne roads, because these commuters will now be able to make the right turn onto Old Connecticut Path in the afternoon without the current backup.
6. Based on the meetings the lead Petitioner has had with the Wayland Board of Selectmen,

the Wayland Board of Road Commissioners, and the Wayland Police and Fire Chiefs, it is understood that unintended impacts of this article will be reviewed for further action.

7. It will take time to get used to the new pattern for traffic. These changes, however, will make our residents and children safer when walking or riding bikes to school, or to Cochituate Village shops, the playground, Wayland Town Beach or Dudley Pond. Other area towns and cities, such as Weston, Sudbury, and Newton, have taken the initiative to take greater control to protect the pedestrian and vehicular safety of their neighborhood streets. In doing so, they've maintained quality of life for their residents. It is time for Wayland to follow suit and protect its citizenry.

CON ARGUMENTS:

1. Enforcement may be difficult, and will involve use of police resources and time.
2. Citizens who commute from the south (overwhelmingly from other towns) who currently avoid toll fees by using Wayland roads will now find it vastly more convenient, faster, but, ultimately more expensive, to bypass Wayland and utilize the Massachusetts Turnpike via Speen Street or other exits.

ARGUMENTS IN FAVOR: The Danforth Farms development, if built, would have only one primary exit. Many of the vehicles from the 730-unit development would be expected to use West Plain Street as a route to Route 128 and points east. This Article would eliminate West Plain Street as a rush-hour route. Other communities, including Framingham, have implemented one-way restrictions to limit the local impact of large projects (such as BJ's) on local neighborhoods, and in fact Framingham has instructed the Danforth Farms developer to configure exits to minimize the impact of traffic on residential areas in Framingham. If the restriction resulted in traffic problems for other Wayland roads in the area, additional changes could be made in traffic flow on those roads. The cost of purchasing street signs would be repaid in a short time with fines ranging from $50 to $250.

ARGUMENTS OPPOSED: Even without the Danforth Farms project, many cars travel down West Plain Street during rush hour and their drivers, including some Wayland residents, could be inconvenienced by the proposed change. If West Plain Street is closed to Danforth Farms traffic during rush hours, drivers might seek alternate routes through smaller roads such as Pequot and Simpson Roads.

RECOMMENDATION: The Finance Committee does not recommend approval. Vote: 2-4 (1 abstaining).

QUANTUM OF VOTE: Majority.

ARTICLE 32: LEGAL APPEALS REGARDING DANFORTH FARMS

Sponsored by: Petitioners

To determine whether the Town will vote to:

A) direct and instruct the Wayland Board of Selectmen to pursue and provide adequate funding for any and all legal avenues of appeal against any and all appropriate parties,

including, but not limited to, National Development and the Town of Framingham, involved in or associated with the project known as "The Villages at Danforth Farms," in the event that the Town of Framingham Planning Board issues any special permit(s) with respect to the project;

B) direct and instruct the Wayland Board of Selectmen to allocate and provide for adequate money, resources, and support to all town boards committees to enable them to pursue any and all legal avenues of appeal that said boards/committees may have against any and all appropriate parties, including, but not limited to, National Development and the Town of Framingham, involved in or associated with the project known as "The Villages at Danforth Farms," in the event that the Town of Framingham Planning Board issues any special permit(s) with respect to the project; and

C) direct and instruct the Wayland Board of Selectmen to form a committee, the function of which shall be to represent the Town of Wayland with respect to negotiations and/or settlements with any and all parties to any legal and/or financial issues or proceedings arising out of the project known as "The Villages at Danforth Farms." Said committee will be made up of the Wayland Chief of Police, or his delegate; one representative each from the Wayland Board of Road Commissioners, the Wayland Conservation Commission, the Wayland Planning Board, and the Wayland Water Commission, with each board voting to determine its own representative to this committee; two members of the Wayland Board of Selectmen, with the Board of Selectmen voting to determine which members shall represent it; and one representative from the citizenry of Wayland, to be selected by a vote of the other members of this committee.

FINANCE COMMITTEE COMMENTS: This Article is advisory. If passed, it would inform the Selectmen that the voters want them to use all legal means available to prevent the development from being built. (See the previous Article for more information about this project, which a developer proposes to build in Framingham very near the Wayland line).

The Article also proposes that the Selectmen form a committee composed of the Police Chief, a member of the public, and representatives of several Town Boards. This committee would represent the Town in negotiations. The Selectmen have legal standing for an appeal. This Article does not ask the Town Meeting for further appropriation of funds.

PETITIONERS' COMMENTS: A development of approximately 730 homes is planned on the Framingham/Wayland border. Wayland's roads will be significantly less safe with so much additional traffic. The character and quality of life in our town also will be negatively impacted. This article is an attempt to direct the Wayland Board of Selectmen to protect our town from conditions that will become markedly less safe in the near future.

As the proposed project now stands, "The Villages at Danforth Farms," when constructed, will negatively impact Wayland's traffic and quality of life. The Wayland Board of Selectmen must pursue legal appeals to the project in order to protect the town of Wayland. They must provide resources to enable other town boards/committees to pursue their own legal rights against the project.

PRO ARGUMENTS: Instructs the Wayland Board of Selectmen to protect Wayland to the extent legally possible in the face of the Danforth Farms proposed project of more than 700 homes just over the Wayland town border. It also enables the Board of Selectmen to provide money and resources for other town boards and/or committees that may also have legal rights with respect to the development.

Provides for a committee of diverse Wayland residents to be able to engage in settlement negotiations with the developer of "The Villages at Danforth Farms," and/or the Town of Framingham, as well as any other parties involved or associated with the project. The diversity of members on the committee should enable it to represent Wayland's interests fairly and accurately.

CON ARGUMENTS: Currently, the Wayland Board of Selectmen has total control with respect to decision-making processes relating to the development known as "The Villages at Danforth Farms." This article attempts to provide assistance to the Board of Selectmen in their decision-making processes.

ARGUMENTS IN FAVOR: The Danforth Farms project would have substantial impact on Wayland's traffic and would increase the workload of our fire and police departments. If this Article passes, Selectmen will be assured of the voters' support for continuing to fight the project in court.

ARGUMENTS OPPOSED: Legal assistance is expensive, and this year the Town is making even more than the usual effort to conserve money. If any voters support the Danforth Farms project, they will oppose this Article.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE 33: AMEND SECTION 36-3, SUBMISSION OF WARRANT ARTICLES

Sponsored by: Petitioners

To determine whether the Town will vote to amend § 36-3 of the Code of the Town of Wayland, entitled Submission of Warrant Articles, by adding thereto a new paragraph C:

> "C. No article, other than one submitted by the Moderator, Town Clerk, or the requisite number of petitioners, shall be inserted in the warrant for any town meeting unless so voted by a board, commission, committee, or other governmental body of the Town of Wayland before the time and date fixed by the Board of Selectmen for closing of the warrant for such meeting."

FINANCE COMMITTEE COMMENTS: The Code of the Town of Wayland establishes

the procedure for submitting warrant articles in §36-3. That section stipulates the deadline for submitting articles to the Board of Selectmen, and the process for changing petitioner's articles following the closing date of the warrant; it does not address the qualifications needed to present articles to the Selectmen. MGL c. 39, §10 establishes qualifications for petitioner's articles, but is silent on the subject of articles submitted by boards, commissions, or committees. This article establishes the qualifications needed for a board, commission, or committee to submit an article.

PETITIONERS' COMMENTS: The purpose of the proposed amendment is to clarify who may present an article to the selectmen for insertion in the warrant. By state law, the warrant for town meeting is issued by the selectmen, and they insert articles either on their own motion or upon the written request of a specified minimum number of registered voters of the town (petitioners), filed before the selectmen "close" the warrant. Various town officials, acting alone and without board approval, have been permitted to submit warrant articles. Often this occurs because some official suddenly realizes, only moments before the submission deadline, that a "critical" article was overlooked and there is no time to get board approval. This practice should be eliminated for two reasons. First, an official, acting alone, has no legal authority to submit a warrant article; individuals may lawfully submit warrant articles only through the petition process. Second, such hurried articles, which have not been deliberated upon, are often defective and later abandoned, but only after squandering the limited resources of the Finance Committee, which must review all articles. The special town meeting provides the necessary vehicle for late articles.

ARGUMENTS IN FAVOR: The current practice for submitting articles makes it possible for an official to dress-up a petitioner's article, for all intents and purposes, as if it were coming from a governmental body. Articles presented in this fashion are invariably removed from the warrant, but the practice tarnishes the integrity of the warrant process as well as the integrity of the boards that were unwillingly involved. This proposed amendment to the Town Code eliminates this practice.

ARGUMENTS OPPOSED: A board, commission, or committee could identify a serious matter requiring a vote at Town Meeting without sufficient time before the Selectmen "close" the warrant to convene a quorum of its members to obtain a formal vote. There is no assurance that the Selectmen will call a special town meeting to deal with the matter.

RECOMMENDATION: The Finance Committee recommends in favor. Vote: Unanimous.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law. (See Appendix I)

ARTICLE 34: AMEND CURRENT BY-LAWS, CHAPTER 6

Sponsored by: Petitioners

To determine whether the Town will vote to amend Chapter 6 of the Code of the Town of Wayland by adding thereto the following new section:

> "§ 6-3. Residency requirement for voting members of appointed governmental bodies.
>
> No person shall serve as a voting member of any appointed board, commission, committee, or other appointed governmental body of the Town of Wayland who is not a registered voter and resident thereof. Non-voting members, if any, shall not be considered in determining the presence of a quorum."

FINANCE COMMITTEE COMMENTS: This article proposes to apply the same qualification criteria to individuals who are appointed to Town service as exists for individuals who are elected to Town service. Currently, and consistent with Massachusetts General Law, only registered Wayland voters may serve and vote on elected boards or committees such as the School Committee or Planning Board. It is proposed that the same rule should apply to members of appointed boards or committees such as the Finance Committee or Personnel Board. The article differentiates between voting and non-voting memberships to such boards or committees and proposes that non-residents may be members of an appointed body and participate in discussions and meetings. However, the article directs that non-residents may not be allowed to vote on appointed Town boards. The rationale behind the article is that a non-resident should not be able to vote on Town management issues that affect those of us who live and reside in the Town. Whether an affect is financial, procedural, legal or otherwise, the article suggests that such an 'outsider' will not feel the ultimate consequences, costs or benefits that will be experienced by residents.

PETITIONERS' COMMENTS: By state law, only registered voters, i.e., residents, may serve on elected boards, such as the Board of Selectmen or Board of Heath. The same rule should apply to members of appointed boards. That is, non-residents should not be allowed to vote on appointed town boards, just as they cannot vote on elected boards. There are two reasons. First, someone who does not reside in Wayland should not be able to participate in executive decisions that affect those of us who do. Second, a non-resident voting board member is displacing a resident. There is presently one such individual who neither lives in Wayland nor pays Wayland taxes who votes on a Wayland appointed board; however, in the recent past there have been others. This leads to absurd situations. These outsiders cannot lawfully debate and vote on their own proposals at town meeting, yet their actions can still raise our taxes. Their presence on boards displaces qualified residents. But there is a win-win solution - under the proposed amendment, they may serve as non-voting members. Some may say that non-resident taxpayers should be appointed to town boards because they have a vested interest in Wayland. However, a founding principle of this country and Commonwealth has been that only domicile, not property ownership, entitles one to vote and to be eligible to hold public office.

ARGUMENTS IN FAVOR: Only residents, i.e. registered voters, may participate in the Annual Town Meeting. Therefore, it makes little sense for a non-resident to be influential in issues that may come before Town Meeting. A residency requirement is the norm and is an accepted conventional practice for serving in elected and appointed offices. It is unacceptable and unfair for a non-resident to have a vote in determining our Town's actions, policies and practices. The appointment of a non-resident effectively reduces opportunities for residents to serve their town.

ARGUMENTS OPPOSED: In the event a vacancy exists on an appointed board and no registered voters volunteer for the position or no registered voter can be recruited for the position, the Town requires the flexibility to search for and retain an appointee outside of its registered voter base.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law. (See Appendix J)

ARTICLE 35: IMPROVEMENTS TO CONSERVATION AND RECREATION LAND

Sponsored by: Petitioners

To determine whether the Town will vote to direct and instruct the Conservation Commission to expend the necessary funds to make necessary improvements to the entrance and parking area of the property located at 412 Commonwealth Road, Wayland, Massachusetts. The funds for said improvement should be provided from the donation of $10,000 provided by the Dow Chemical Company in May of 2000. The improvements would include but would not be limited to:

1. Purchasing a sign and erecting said sign in a location at the entrance to the property that informs the public that the property is conservation and recreation land of the Town of Wayland
2. Removal of the existing gate on the Route 30 entrance that currently prevents public access to the property
3. Reconstruction, reclamation or repair as the case may be of the existing parking area
4. Erection of an appropriate wooden fence or guardrail as the case may be around the perimeter of the existing parking area.
5. Installation of any signs, lighting or refuse containers as the case may be deemed necessary.

Said improvements should be completed no later than June of 2003.

FINANCE COMMITTEE COMMENTS: The purpose of this article is to instruct the Conservation Commission to spend funds to improve the entrance and parking area to the Loker Conservation and Recreation site. The Town Meeting authorized the purchase of this site in May of 1998 for conservation, open space and recreation uses. The Selectmen signed the purchase and sale agreement to acquire the 33 acres in February of 1999. The article seeks the following improvements:

1. Purchase and install a sign that informs the public that the property is conservation and recreation property of the Town of Wayland.
2. Removal of the existing gate on the Rt. 30 entrance that currently prevents public access to the property.
3. Reconstruction, reclamation or repairs to the existing parking area.
4. Installation of an appropriate wooden fence or guardrail around the perimeter of the existing parking area.
5. Installation of any signs, lighting or refuse containers as may be deemed necessary.

These improvements would be funded from the donation of $10,000 provided by the Dow Chemical Company in May of 2000 to the Wayland Conservation Commission.

At the 2001 Annual Town Meeting, approximately $20,000 was approved for the Conservation Commission and the Park and Recreation Commission to develop a management plan for the Loker Conservation and Recreation site. Camp, Dresser & McKee (CDM) is currently developing a management plan for the site. A public hearing was held on

February 11, 2003 to gather public suggestions to CDM's proposal. After hearing input from the public, the Conservation Commission and the Park and Recreation Commission, CDM will then develop a final management plan. CDM will present various proposed alternatives at a public hearing in early May 2003. It is the hope of the Conservation and Park and Recreation Commissions to have a final management plan approved by the fall of 2003. According to Town Counsel, a town meeting vote can authorize an expenditure and place limits on the amount expended and the purposes for which the funds can be expended. However, town meeting, as the legislative (as contrasted with executive) body of the Town, cannot compel a board, commission, or official of the Town to affirmatively expend the funds.

ARGUMENTS IN FAVOR: Approval of this article will advise the Conservation Commission to make the Loker Conservation and Recreation area more accessible to the Town of Wayland. The Town has owned this site since May of 2000 and the public should be aware that the property is open for public use.

ARGUMENTS OPPOSED: Any affirmative vote under this article will only be, in effect, advisory.

Approval of this Article before the development of a management plan may not be fiscally prudent. The Dow donation should not be expended until the management plan is completed. The improvements outlined in this article may be different or altered in the management plan. For example, the parking lot may be located in a different site.

This article micro manages the Conservation Commission. The Conservation Commission best knows how and when to expend their funds.

The Police Department would prefer the gate to the site remain closed until the management plan is completed to deter vandalism at the site. There is a sign on the gate informing the public that the site is open for public use. The public may currently park on the driveway leading up to the gate. A sign has already been installed at the site.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 5-1 with 1 Abstention.

QUANTUM OF VOTE: Majority.

ARTICLE 36: PETITION MASSACHUSETTS TO ENACT SPECIAL ACT RELATIVE TO INDEMNIFICATION OF EMPLOYEES

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act relative to indemnification of employees and officials of the Town of Wayland substantially the same as

the special act attached hereto as Exhibit A.

Exhibit A

Notwithstanding the provisions of any general or special law to the contrary, the Town of Wayland shall indemnify and save harmless elected municipal officers and unpaid appointed municipal officers from personal financial loss and expense including reasonable legal fees and costs, if any, in an amount not to exceed one million dollars, arising out of any claim, demand, suit or judgment by reason of any act or omission, except an intentional violation of civil rights of any person, if the official at the time of such act or omission was acting within the scope of his official duties or employment, and may indemnify and save harmless public employees from personal financial loss and expense, including reasonable legal fees and costs, if any, in an amount not to exceed one million dollars arising out of any claim, demand, suit or judgment by reason of any act or omission, if the official at the time of such act or omission was acting within the scope of his official duties or employment. No such public employee shall be indemnified and saved harmless if he acted in a grossly negligent, willful or malicious manner.

FINANCE COMMITTEE COMMENTS: This article is in response to a recent instance in which the Town was forced to pay the legal costs of an employee who was being sued by the Commonwealth of Massachusetts. The ruling against the Town was based on the employee's union contract and also on Chapter 258, Section 13 of the Massachusetts General Laws, which the Town agreed to adopt in 1981. In order to avoid such a situation in the future, and to give the Town more discretion in the future regarding indemnification of employees, this article seeks to replace parts of Section 13 with an act worded as above. This act would also replace parts of MGL Chapter 258, Section 9, under which the Town presently operates. The two sections would remain in effect, but would be superceded by the proposed act wherever the language differed. These two sections are included below with strikethroughs indicating where the proposed act deletes wording, and bold, underlined letters indicating additions:

Chapter 258 Section 13: (This section was adopted by Wayland by Town Meeting Vote in 1981) - ~~the town~~ The Town of Wayland shall indemnify and save harmless **elected** municipal officers, ~~elected or appointed~~ and **unpaid** appointed municipal officers from personal financial loss and expense including reasonable legal fees and costs, if any, in an amount not to exceed one million dollars, arising out of any claim, demand, suit or judgment by reason of any act or omission except an intentional violation of civil rights of any person under any law, if the official at the time of such act or omission was acting within the scope of his official duties or employment.

Chapter 258, Section 9: ~~Public employers~~ **The Town of Wayland** may indemnify **and save harmless** public employees from personal financial loss and expense, including **reasonable** legal fees and costs, if any, in an amount not to exceed one million dollars arising out of any claim, action, award, compromise, settlement, or judgment ~~by reason of an intentional tort, by reason of any act or omission which constitutes a violation of the civil rights of any person~~ under any federal or state law: if such employee at the time of such intentional tort or omission was acting within the scope ~~his official duties or~~ their employment. No such

employee or official shall be indemnified **or saved harmless** ~~under this section for violation of any such civil rights~~ if he acted in a grossly negligent, willful or malicious manner.

~~For purposes of this section, persons employed by a joint health district, regional health district or regional board of health, as defined by sections twenty seven A and twenty seven B of chapter one hundred eleven, shall be considered employees of the city or town in which incident, claim, suit, or judgment is brought pursuant to the provisions of this chapter.~~

****

In essence, the act would remove the condition that paid municipal officers shall be indemnified, and in favor of the condition that they may be indemnified. There would be no change of condition for unpaid (volunteer) and elected officers. In addition, the specific language including indemnification for town employees for civil rights violations has been removed, under the assumption that any federal or state law includes such violations. (The paragraph of Section 9 covering health district employees does not apply to Wayland.) The Board of Selectmen has the responsibility of deciding whether to indemnify.

It should be noted that passage of this article is the first step in a multi-step process. After passage at Town Meeting, the legislature may be petitioned by the Board of Selectmen; if the legislature's action is favorable, the matter may have to be put on the ballot, and if then approved by a majority vote, becomes law in Wayland.

ARGUMENTS IN FAVOR: This article would give the Board of Selectmen more discretion in deciding whether indemnification should be extended in a given instance, and in so doing, might be able to save the town considerable costs.

ARGUMENTS OPPOSED: Passage of this act would allow the Board of Selectmen to decide whether or not a town official is to be indemnified. This power could be exercised arbitrarily. Lacking a positive assurance of indemnification, town officials may be induced to join the existing management union, where their rights may be better protected through the bargaining process or to encourage them and prospective town officers to insist on employment contracts which include indemnification.

RECOMMENDATION: The Finance Committee does not recommend approval. Vote: 0-4-1.

QUANTUM OF VOTE: Majority – See Massachusetts Constitution Amendment Article 2, Section 8 (1).

ARTICLE 37: AMEND GENERAL BY-LAWS RE: BUDGETS

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend Chapter 19, Section 19-4 of the Code of the Town of Wayland by adding the following immediately after the end of the second sentence thereof:
One month prior to the 15th of December in each year, all town boards, officers and committees under the jurisdiction of the Board of Selectmen shall submit to the Board of Selectmen detailed estimates of the amounts deemed necessary for the administration of their

respective board, office, department or committee for the ensuing fiscal year, including both capital and expense items. The town boards, officers and committees under the Board of Selectmen's jurisdiction shall be defined as those boards, officers and committees appointed by the Board of Selectmen in accordance with the Town's by-laws and/or state law.

The budget submission should include explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding fiscal year. Such town boards, officers and committees shall also, as part of the submission, file estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of their board, office or committee. The town boards, officers and committees under the Board of Selectmen's jurisdiction shall submit preliminary budgets to the Finance Committee by December 15th of each year. In addition, the Board of Selectmen shall, no later than the 15th of January in each year, unless another date is agreed to, make both a capital and expense budget recommendation to the Finance Committee for the ensuing fiscal year for each town board, officer and committee under its jurisdiction.

FINANCE COMMITTEE COMMENTS: Section 19-4 of the Town Code provides that, by the 15th of December in each year, each officer, board and committee shall submit their budgets to the Finance Committee for each upcoming fiscal year. Although the Selectmen have jurisdiction over certain departments and boards, this provision doesn't provide for the Selectmen's review and recommendation in the submission of these budgets. This article would require each Selectmen-appointed board and department to submit their budgets to the Selectmen for review prior to submission to the Finance Committee and allows the Selectmen to make recommendations regarding these budgets to the Finance Committee.

ARGUMENTS IN FAVOR: Most residents in Town, not familiar with the Town's by-laws, probably assume that the Board of Selectmen has authority over a significant portion of the Town's budget. In fact, under the current by-laws, the Board of Selectmen actually has primary responsibility for only $2.4 million of the Town's $45 million proposed 2004 budget. Residents naturally look to both the Board of Selectmen and the Finance Committee for an explanation about the finances of the Town, the make-up of the Town Budget, and how Town funds are used. In addition, residents expect these boards to manage the Town finances during difficult budget times, as being experienced in many surrounding towns. Although the Selectmen have traditionally reviewed with each of their appointed boards and departments their respective budget, the current town code doesn't allow the Selectmen to recommend changes, such as cost reductions or increases, revenue enhancements or reductions, or reallocation of funds among the various departments under their jurisdiction. Making this change to the by-law would formalize the budget process by requiring these Selectmen boards and departments to submit their budgets to the Selectmen. It would also formalize the Selectmen's financial oversight to these departments and provide valuable input to the Finance Committee for their final budget recommendation to the Town. This additional oversight and scrutiny should provide for a more efficient budget and provide input into allocating funds to areas deemed most critical to meet the needs of the Town.

ARGUMENTS OPPOSED: The respective boards and departments are in the best position to understand their budget needs and plan their future appropriations. Under the by-laws

these boards and departments are responsible for submitting their respective budgets directly to the Finance Committee and it is the authority of the Finance Committee to submit a budget for approval at Town Meeting. This article would give more authority to the Selectmen by giving them a more defined role in the budget process.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws Chapter 40, Section 21.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law. (See Appendix K)

ARTICLE 38: AMEND ZONING BY-LAWS RE: STORAGE OF UNREGISTERED & UNGARAGED MOTOR VEHICLES

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend Chapter 198 (Zoning) of the Code of the Town of Wayland by making the following additions and deletions to §198-503.1:

(underlining denotes added text; ~~strikethrough~~ denotes deletions)

503.1 Unless authorized by ~~the Board of Selectmen~~, a special permit issued by the ZBA pursuant to §198-203.1 of this Zoning By-law, not more than one unregistered and ungaraged motor vehicle shall be placed or permitted to remain on any lot in a Single Residence District, and no unregistered motor vehicle shall be placed or permitted to remain in the front yard of any such lot. Any person so placing a motor vehicle and, if placed or allowed to remain with his or her knowledge or consent, the owner or owners of the motor vehicle and of the lot shall be punishable as specified in § 198-205.2 of this Zoning By-law.

FINANCE COMMITTEE COMMENTS: Currently, Section 198-503.1 bestows authority to the Board of Selectmen to approve or disapprove of the storage of ungaraged and unregistered motor vehicles in a Single Residence District. However, the aforementioned Section provides no guidance or criteria for the Selectmen to apply in making such an authorization. The wording change to this article provides for the application of standard permitting criteria as defined earlier in the Chapter 198 Zoning By-Laws.

ARGUMENTS IN FAVOR: Specific written criteria improves and strengthens the by-law and its enforceability.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any specific opposition.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds – See Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with federal and state law. (See Map at Appendix L and Planning Board Reports at Appendix N)

ARTICLE 39: AMEND ZONING MAP TO CORRESPOND WITH WIRELESS COMMUNICATIONS SERVICE DISTRICT DESCRIPTION

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the zoning map referenced in § 198-301.2 and the description of the Wireless Communication Service District in § 198-1503.2.4 of the Zoning By-Laws of the Town so that the land and structures which comprise the Wireless Communications Service District as shown on said zoning map correspond with and are consistent with the description of the Wireless Communications Service District in § 198-302.1.8 of the Zoning By-Laws of the Town.

FINANCE COMMITTEE COMMENTS: The purpose of this article is to correct inconsistencies between Zoning By-law 198-302.1.8 titled the "Wireless Communication Services District" and the Plan titled "Town of Wayland Zoning Map" which accompanies this section of the Zoning By-laws.

ARGUMENTS IN FAVOR: This amendment rectifies a mistake in the map that accompanies the current Wireless Services District Zoning By-law. Although the map is considered a reference tool, it should reflect the Wireless Services District boundaries as voted at prior Annual and Special Town Meetings.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Two-thirds – See Massachusetts General Laws Chapter 40A, Section 5.

CONSISTENCY WITH LAW: It is the opinion of Town Counsel that the foregoing by-law amendment is consistent with Massachusetts and federal law.

ARTICLE 40: MAPPING OF STORMWATER DRAINAGE SYSTEM

Proposed by: Conservation Commission *Estimated Cost: $54,000*

To determine whether the town will vote to appropriate a sum of money to be expended by the Conservation Commission for professional services to provide a data base of the stormwater system in the most recently defined urbanized areas of the Town as mandated by the United States Environmental Protection Agency; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Town of Wayland is required by the EPA to prepare a Storm Water Management Program that is intended to control storm water discharging to streams, rivers, and wetlands in Wayland. The Town will be required to file an application for a permit by March 2003 and have a five-year plan for addressing issues related to water quality that is discharged from the drainage system. One component of the program is the detection and elimination of illicit discharges to the storm water system. The Town will be required to locate all drainage outfalls in the urbanized area of Wayland. There is not currently a set of data that shows the drainage system in its entirety. This money is being sought to generate, for the urbanized areas of the Town, such a database.

ARGUMENTS IN FAVOR: The availability of a drainage database will help to comply with some of the requirements of the Phase II Storm Water Rule. This data should also have a broader application for Town Departments evaluating development proposals that may impact the Town's drainage system. The drainage database will provide useful information in assessing any potential impact or contribution to the Town's storm water collection system.

ARGUMENTS OPPOSED: Implementation of the entire Storm Water Program, including the storm water mapping, is not until 2008. The Town may consider delaying the mapping requirement one year.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE 41: ACCEPT SADDLE LANE AS A TOWN WAY

Proposed by: Board of Road Commissioners *Estimated Cost: $1.00*

To determine whether the Town will vote to:

a) accept Saddle Lane as a Town way as laid out by the Board of Road Commissioners and shown as Lot 13 on a plan entitled "Definitive Subdivision Plan of 'Saddle Lane Estates' in Wayland, MA", dated November 17, 1997, prepared by Sullivan, Connors & Associates, Engineers and Surveyors, approved by the Land Court and filed with the Land Registration Office at the Middlesex South Registry of Deeds as Land Court Plan No. 3270D;
b) authorize the Board of Road Commissioners to acquire by gift and/or eminent domain, the fee interest in said Lot 13 for highway purposes, provided that the owner of said Lot 13 reimburses the Town for its costs, legal or otherwise, of said acquisition;
c) to appropriate a sum of money to compensate the landowner(s) owning and/or abutting said lot; and
d) to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: Saddle Lane is a short, dead end road, extending south from Glezen Lane. In April 2000 the Planning Board determined that the road had been completed in accordance with the subdivision plan. Such roads, when constructed in accordance with the Town's subdivision regulations, are expected to have a useful life of 25 years before requiring major work. Pursuant to State statute, the Town plows the road, and expected annual maintenance would be drain-cleanout and sweeping, a minimal cost. By passage of this article the developer would transfer the road to the town and would pay all of the Town's legal and other transfer costs.

ARGUMENTS IN FAVOR: Acceptance of this road will allow the Highway Department to maintain the road as a Town way.

ARGUMENTS OPPOSED: Acceptance of the road will mean that the Town will be responsible for future costs of repair and rebuilding.

RECOMMENDATION: The Finance Committee recommends acceptance, Vote: Unanimous.

QUANTUM OF VOTE: Majority for street acceptance – see Massachusetts General Laws Chapter 82, Section 23; two-thirds for appropriation and exercise of eminent domain or purchase powers – see Massachusetts General Laws Chapter 40, Section 14; also, two-thirds for borrowing - see Massachusetts General Law Chapter 44, Section 7. (See Map at Appendix M)

ARTICLE 42: RESCIND BALANCE FROM BORROWING

Proposed by: Board of Selectmen

To determine whether the Town will vote to rescind the $500.00 balance remaining from the borrowing authorized under Article 6 of the Warrant for the 2002 Annual Town Meeting for departmental equipment.

FINANCE COMMITTEE COMMENTS: This standard article reduces $500 of authorized but unissued debt.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority

ARTICLE 43: SELL OR TRADE VEHICLES AND EQUIPMENT

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of the following surplus vehicles, equipment, or other personal property in connection with the purchase of new vehicles, equipment, or other personal property.

Department	Vehicle/Equipment	Year
Fire Department	Radio Equipment	N/A
Police Department	Three (3) Crown Victoria Fords	2001
Police Department	One (1) Crown Victoria Ford	1994

FINANCE COMMITTEE COMMENTS: This standard article allows the Town to sell used vehicles or other personal property.

ARGUMENTS IN FAVOR: The selling of used property contributes to the Town's general fund.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE 44: ACCEPT GIFTS OF LAND

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept real property or interests in real property which have been tendered to it as a gift, by devise, or otherwise.

FINANCE COMMITTEE COMMENTS: This standard article allows the Town to accept gifts of land.

ARGUMENTS IN FAVOR: Acquisition of land by the town gives the town more control over the use of such land.

ARGUMENTS AGAINST: Land given to the Town may result in a slight loss of taxable real estate.

RECOMMENDATION: The Finance Committee defers a recommendation until Annual Town Meeting. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE 45: AUTHORIZE TREASURER TO BORROW

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow monies from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2003, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4 and Chapter 849 of the Acts of 1969, both as amended, and to issue a note or notes therefor, payable within one year, and to renew any note or notes that may be given for a period of less than one year in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 17, as amended.

FINANCE COMMITTEE COMMENTS: This standard article provides for short-term borrowing in case of need, pending collection of real estate taxes.

ARGUMENTS IN FAVOR: This article allows the Town flexibility in managing its finances.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority – See Massachusetts General Laws, Chapter 44, Section 4.

WARRANT ARTICLE PROCESS
Non-Petitioner Articles

This document is a guide for governmental bodies wishing to include articles in the Warrant for either the Annual Town Meeting (ATM) or Special Town Meeting (STM). There are generally three sources for such articles: standard articles that appear each year (the omnibus budget, for example); articles from petitioners who desire the town to take certain actions; and articles from official elected and appointed boards, commissions, and committees. Preparing for Town Meeting requires a great deal of time from many people. Well-reasoned, technically correct, and complete articles help make the most efficient use of limited time and resources.

Form of the Warrant Article

All articles should be submitted on the form provided. They may follow the format used in prior warrants but must be original and not marked-up photocopies. Articles should be as fully developed as possible at the time of submission. The article's sponsor should consult with appropriate people or organizations, obtain validated facts and figures, address legal issues, and draft the wording of articles prior to submission.

ATM Time Line and Process

Date	Action	Responsibility
December 15, 4:30	*Submit all articles for Annual Town Meeting (on computer disk if possible)* Articles are collected and numbered, and copies are given to the Board of Selectmen and Finance Committee. Sponsors should provide comments and arguments in favor of their articles at the time of submission.	Executive Secretary
December 15 - Mid-March	*Review articles, determine their order, vote on which non-petitioner articles to include in the Warrant, vote positions on most articles* The Board discusses substantive articles with sponsors under the board's jurisdiction and often meets with sponsors of other articles.	Board of Selectmen
December 15 - Mid-March	*Review each article and prepare a report for the Warrant* The Committee meets with the sponsors of all articles to discuss the articles' merits, financial implications, and other relevant issues. A member of the Committee is assigned to each article to prepare a report for the warrant, including pro and con arguments and the Committee's recommendation.	Finance Committee
January - Mid-March	*Meet with Finance Committee and/or Board of Selectmen to discuss articles; meet required prerequisites, such as hearings, notification of abutters, reports from other boards* Such discussions help to identify issues that require further work as well as arguments for and against passage.	Sponsor of article (including petitioners)

January - Mid-March	*Review articles for form and legal correctness, add required legal citation(s), indicating the quantum of vote required for passage, prepare final wording of motions*	Town Counsel
February-March	*Hold hearings on articles with zoning By-Law implications* The Planning Board is required to hold hearings on articles proposing zoning changes and to make a report on the floor of Town Meeting.	Planning Board
March 17 (approximately)	*Submit completed warrant to the printer*	Executive Secretary and staff
7 days prior to ATM	*Mail warrant to registered voters*	Executive Secretary and staff
Approximately 7 days prior to ATM	*Hold a warrant article hearing* A hearing is held to review the warrant.	Board of Selectmen with Moderator and Finance Committee
ATM	*Consider each article at ATM.* Normally, the sponsor makes the motion and speaks to the article's merits. Citizens are encouraged to debate the merits of articles, ask questions, and make amendments when appropriate. Amendments should be legibly written for submission to the moderator and should be made available to citizens when possible.	Town Meeting Attendees

Budgets

Following a similar timeline, the Finance Committee sets budget guidelines, meets with all departments to review their budgets, and puts together the omnibus budget, including the five-year capital planning budget. The Board of Selectmen reviews the budgets of all departments under its jurisdiction and meets with the Finance Committee for final consideration.

Special Town Meeting

The Board of Selectmen must vote to hold a special town meeting. The Board sets the date for the meeting, usually a minimum of 45 days in advance, and accepts articles for the Warrant for about five days. The above timeline and process should be followed, except that the Warrant must be mailed to registered voters 14 days prior to the STM.

ARTICLE FOR ANNUAL TOWN MEETING

SPONSOR_____ DATE RECEIVED_____

TELEPHONE/Day_____

CONTACT PERSON_____ TELEPHONE/Evening_____

BOARD VOTE_____ DATE OF VOTE_____

TITLE_____

COST_____ NO COST _____ COST ESTIMATE AVAILABLE ON_____

TEXT: To determine whether the Town will vote to

COMMENTS

PROS

CONS

SIGNATURE OF CHAIR_____ DATE_____

WARRANT ARTICLE PROCESS
Guide for Petitioners

Citizens have the right to submit articles for consideration by the town meeting. Such articles must be in writing and signed by ten or more registered voters for Annual Town Meeting (ATM) or 100 or more registered voters for Special Town Meeting (STM), using the attached form. All petitioners' articles must be submitted by December 15th for ATM or by the date stated for submission of articles for STM. All petitioners' articles having the required number of qualified signatures must be included in the town meeting Warrant by state statute.

Duplicate petitions and petitions that call for an action that is not legal under town By-Law or state statute are usually passed over and petitioners whose concerns are not considered by town meeting are disappointed. Such articles are costly in terms of printing and in the time boards, committees, and staff spend reviewing and preparing the warrant. **The Board of Selectmen and the Finance Committee encourage citizens to work with appropriate town boards to achieve their goals whenever possible before submitting petitioners' articles.**

ATM Time Line and Process

Date	Action	Responsibility
Late November	*Hold a workshop for citizens interested in submitting petition for Annual Town Meeting.* Potential articles and the submission process may be discussed with the Selectmen and experienced volunteers.	Board of Selectmen
December 15, 4:30	*Submit petitioners' articles for Annual Town Meeting (on computer disk if possible)* Articles are collected and numbered, and copies are given to the Board of Selectmen, Finance Committee, Moderator, and Town Counsel. Petitioners are encouraged to provide comments, arguments in favor, and arguments against their articles at the time of submission.	Executive Secretary
January - Mid-March	*Review articles, determine their order, vote positions on most articles; may meet with petitioners* The Board may discuss substantive articles with petitioners or attend the Finance Committee's meeting with petitioners.	Board of Selectmen
January - Mid-March	*Study each petitioner's article and prepare a report for the Warrant* The Committee meets with petitioners to discuss their article. They may explore alternative means for accomplishing the article's objective. A member of the Committee is assigned to the article to prepare a report for the Warrant, including pro and con arguments and the Committee's recommendation.	Finance Committee

Date	Action	Responsibility
January - Mid-March	*Meet with Finance Committee and/or Board of Selectmen to discuss article; write report of no more than 150 words to be printed in the warrant if desired and if the Finance Committee prepares a report* Such discussions help to identify issues that require further work on the part of the petitioner as well as to identify arguments for and against passage.	Petitioners
Late November	*Hold a workshop for citizens interested in submitting petition for Annual Town Meeting.* Potential articles and the submission process may be discussed with the Selectmen and experienced volunteers.	Board of Selectmen
January - Mid-March	*Review articles for form and legal correctness, add required legal citation(s), indicating the quantum of vote required for Passage*	Town Counsel
March 15 (approximately)	*Submit completed warrant to the printer*	Executive Secretary and staff
7 days prior to ATM	*Mail warrant to registered voters*	Executive Secretary and staff
Approximately 7 days prior to ATM	*Hold a warrant article hearing* Petitioners should attend this hearing to review their warrant articles.	Board of Selectmen with Moderator and Finance Committee
ATM	*Move the article and make a brief presentation on the merits of the article* Movers of articles have a limited amount of time to explain and present arguments in favor of passage of the article (currently 10 minutes). This presentation is made at the procedural (center) microphone. Petitioners may prepare handouts and slides. If the motion differs substantially from the article printed in the warrant, printed copies should be prepared for the moderator and made available for people attending Town Meeting.	Lead Petitioner
ATM	*Consider each article at ATM* Citizens are encouraged to debate the merits of articles, ask questions, and make amendments when appropriate. Amendments should be legibly written for submission to the moderator and made available to people attending Town Meeting.	Town Meeting attendees

Special Town Meeting

The Board of Selectmen must vote to hold a special town meeting. The Board sets the date for the meeting, usually a minimum of 45 days in advance, and accepts articles for the Warrant for one week. The above timeline and process should be followed, except that petitions require 100 signatures and the Warrant must be mailed to registered voters 14 days prior to the Special Town Meeting. Special Town Meetings are also called upon receipt of a citizens' petition with 200 signatures.

INSTRUCTIONS FOR COMPLETING PETITIONERS ARTICLE FORM

PAGE 1

Lead Petitioner: The lead petitioner will serve as spokesperson for the article and will be the contact for the Finance Committee and the Board of Selectmen, and by the Planning Board if the petition is a zoning issue.

Date Received: The date received will be stamped on the petition when it is received by the Executive Secretary.

Phone Numbers: Please provide a day and evening phone number where the lead petitioner may be contacted.

Title: Please provide a brief title that describes the purpose of this article.

Town Board/Department Affected: Please list the town board(s) or department(s), if any, that will be affected if this article passes.

Estimated Cost: Please provide an estimate of the cost if passage of this article will have a financial impact on the town.

Article: Please describe fully and unambiguously what you wish the town meeting to vote on.

PAGE 2

Please provide comments, arguments in favor, and arguments that might be used to oppose your article suitable for printing in the Warrant. (These may not be printed exactly as submitted.)

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

LEAD PETITIONER_____ DATE RECEIVED_____

DAY PHONE_____ EVENING PHONE_____

TITLE_____

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE_____

ESTIMATED COST_____

ARTICLE: To determine whether the Town will vote to

Add comments and pro and con arguments on the next page. Thank you.

#	Print Name Legibly	Signature	Print Street Address
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING
Page 2

COMMENTS

PRO ARGUMENTS

CON ARGUMENTS

APPENDIX A

THE MODERATOR'S RULES AND REGULATIONS
GOVERNING WAYLAND'S TOWN MEETINGS

The following information may help you to participate fully in Wayland's town meetings, which have been held each year since 1639:

I. The Warrant

This booklet, which includes the Warrant for Wayland's Town Meeting, was compiled by the Selectmen and served upon all residents by mail and by posting at the Town Building, the Library, the Cochituate Fire Station or the Cochituate Post Office and the Happy Hollow School. It contains the agenda of the subjects to be acted upon (articles), including the omnibus budget proposed, if this is an annual meeting, the report and recommendations of the Finance Committee upon each article and additional information concerning the finances and administration of the Town to help us formulate our votes.

No action of this Town Meeting will be valid unless it shall have been taken under an article set forth in the Warrant.

Each article will be considered in the order in which it appears on the Warrant, unless the meeting shall have voted to do otherwise by a two-thirds vote.

II. The Voters

A. All residents of Wayland, who have been duly registered as voters, are urged to attend, participate, debate and vote at all annual and special town meetings subject to laws of the Commonwealth of Massachusetts, the By-Laws of the Town and these rules and regulations.

B. All other persons may attend and observe Wayland's town meetings so long as they remain seated in the special section that has been reserved for this purpose, unless the Moderator shall have authorized them to sit among the registered voters. And see paragraph IV.B.3 below.

C. A registered voter may bring his or her child(ren) to sit among the voters so long as the child(ren) sit(s) quietly beside his or her parent at all times.

III. The Moderator

The Moderator is elected by ballot for a three year term at the annual election of town officers to preside at all Town meetings during his or her term of office and is authorized by state law to regulate the proceedings, decide all questions of order and make public declaration of all votes, subject to the By-laws that Wayland has enacted to regulate the proceedings of town meetings. All rulings of the Moderator are final.

IV. The Meeting

A. The Call to Order

1. The Moderator will call each session of town meeting to order at 7:45 p.m., or as soon thereafter as the Town Clerk has determined that a quorum of one hundred registered voters has been checked into the hall.

2. All persons, who have not registered to vote in Wayland, including members of the press, must sit in the section reserved for non-residents, unless the Moderator has authorized them to sit among the voters.

3. The Moderator will announce the number of each article about to be considered and invite a motion thereunder; the Moderator will omit the reading of the articles, unless a MAJORITY of the meeting shall vote otherwise.

B. To Address the Town Meeting

1. No person may address a town meeting until and unless he or she shall have been recognized by the Moderator. All persons shall, at the request of the Moderator, be silent.

2. All persons, who wish to be recognized, shall approach one of the three microphones placed at the front of the room, which most closely reflects the purpose for which they seek recognition:

a. The Procedural Microphone (in the middle) will be available to those who have been recognized by the Moderator and wish to offer:

1) The main motion under the article being considered and a presentation in support thereof;

2) The principal presentation in opposition to the main motion. See paragraph IV.C.2.a below;

3) An amendment to a main motion;

4) A question seeking information or guidance from the Moderator as to procedure, including a point of order;

5) An answer to a question seeking information; and

6) A point of order or procedural motion, such as:

a) a motion to terminate debate;

b) a motion challenging the Moderator's declaration of a vote;

c) a motion questioning the presence of a quorum; and

d) a motion to adjourn.

b. The "Pro" Microphone will be available to those persons recognized by the Moderator who wish to speak in support of a motion on the floor.

c. The "Con" Microphone will be available to those persons recognized by the Moderator who wish to speak in opposition to a motion on the floor.

The Moderator will normally recognize those persons, who are standing behind or seated near each microphone in a single file, in the order of their entry into that file, alternating between the Pro and the Con mikes; but reserves the right to recognize any person at any time, including a person who has not approached a mike, a person who is handicapped or a person who has risen to a point of order. Any person whose remarks are

not consistent with the purpose of the microphone that he has been permitted to use, shall yield the floor upon request of the Moderator.

3. If a person, who has not registered to vote, seeks permission to address the meeting, the Moderator will ask whether there are any objections. If there are any, he will immediately call for a voice vote. If the majority shall vote to hear the non-resident, the Moderator will give him/her the floor.

C. The Debate

1. When you have been recognized by the Moderator, address the Chair as follows: "Mr. Moderator, I am (Name) of (Street Address)." Then proceed as follows:

a. "I move that . . .";

b. "May I ask you . . ."; or
"May I ask through you (then state the question which you want a board, official, or previous speaker to answer);

c. "I rise to a point of order"; or

2. Once you have been recognized, you may offer any motion, amendment, argument, comment, suggestion or question relevant to the article then under consideration, unless the Moderator shall have authorized debate or invited comments upon subjects not listed in the Warrant; but

a. Any person who wishes to offer the principal presentation in support of, or in opposition to, the main motion under an article, must so notify the Moderator and complete the same within ten minutes, or less, and yield the floor. A light will warn you to conclude your remarks and yield the floor during the following minute.

b. All other persons who wish to address the Town Meeting shall, when recognized, complete their remarks in three minutes, or less, and yield the floor. The same one minute warning light will be turned on when you have used up the first two minutes.

c. You may be interrupted only by a question of privilege, a point of order, a request that you speak more distinctly or by the Moderator.

d. When you have completed your motion, question, or remarks, you relinquish your claim to the floor; and you must yield the floor upon request of the Moderator.

3. If you have a question concerning the legality or propriety of the proceedings, you may approach the Procedural Microphone and address the Moderator without waiting to be recognized, saying: "Mr. Moderator, I rise to a point of order." When you have been recognized, you must state the reason for your point, which may include that a motion is beyond the scope of the article under consideration, that the person who has the floor is not addressing the merits of the motion or that a quorum is not present. The Moderator will then rule on the point and his ruling is final.

4. If you wish to offer a motion within the scope of the article under consideration, follow the procedure outlined under paragraph II. B and C above.

a. If your motion is the main motion, you must then declare that it is identical word-for-word with the substantive portion of the article

printed in the warrant which is then under consideration, or describe all of the substantive differences in wording between the article and the motion; otherwise the Moderator will permit no debate or action upon your motion.

b. If you plan to offer a main motion, which contains more than twenty-five words and differs significantly from the article printed in the Warrant, you must first print and distribute a copy thereof to those attending the session of town meeting at which said motion is presented.

c. No motion or amendment of a motion that exceeds ten words in length will be accepted, unless it shall have been offered to the Moderator in writing.

d. A motion that is not identical word-for-word with the substantive portion of the article printed in the warrant then under consideration will not be permitted, unless the Moderator shall determine that said motion is within the scope of the article; i.e., that it does not change the substantial character of the proposal described in that article.

e. The Moderator will permit no motion to appropriate and/or expend a sum of money, which exceed the estimated cost set forth in the article then under consideration by fifteen (15%) percent, except for motions under the omnibus budget article and motions under a supplementary budget article that contemplates the appropriation of additional money for the current fiscal year to augment moneys previously appropriated and proposes to fund such appropriations by transfer from unappropriated funds, funds appropriated for another purpose or from funds received by the Town as grants or gifts.

f. The Moderator may rule on your motion, even if no one has risen to challenge that motion by way of a point of order.

5. You will not be recognized to speak on the merits of a motion if you have already spoken three times on its merits, but you may be recognized to answer a question put by another or to raise a procedural issue with respect to that motion.

6. Wayland's practice with respect to some common subsidiary motions is generally as follows:

a. You may amend a motion by moving to add and/or delete words to and/or from the main motion or by substituting a new motion therefor; but the Moderator permits no more than two amendments to a main motion. A motion to amend is debatable and requires only a MAJORITY vote, even though the main motion may require a TWO-THIRDS vote.

b. You may move to refer a matter for further study, if your motion identifies the official or committee who shall conduct such study, how it shall report, when and to whom. In the event that you wish to establish a new committee for this purpose, the motion must specify the number of members who shall serve and who shall

appoint them. A motion to refer is debatable and may be amended and requires a MAJORITY vote.

c. You may move to advance or postpone consideration of an article listed in the Warrant. Such a motion is debatable, may be amended and requires a TWO-THIRDS vote.

d. You may move to lay an article on the table ("table"). Such a motion is NOT debatable or amendable and requires a TWO-THIRDS vote. A motion to remove such article from the table is also NOT debatable or amendable and requires a TWO-THIRDS vote.

e. You may ask the Meeting to take no action under an article by moving "that the article be passed over." Such a motion may be deemed a substitute for the main motion, is debatable, may not be amended, requires a MAJORITY vote and serves to dispose of the article under consideration.

f. Upon the expiration of sixty minutes after the main motion under any article shall have been seconded, the Moderator may terminate debate thereon, unless the Town Meeting shall have voted to extend the time available for further debate.

g. Although the Moderator has absolute authority to regulate the proceedings at town meetings, debate under a motion can be terminated only by a TWO-THIRDS vote of the Town Meeting. Therefore, if you believe that debate under a motion has gone on long enough, approach the Procedural Microphone, and, when you have been recognized, "move the previous question". If your motion receives a second, the Moderator will ask if anyone, who has not spoken to the motion under consideration, wishes to be recognized. If no one expresses such a wish by raising his or her hand, the Moderator will immediately terminate debate and take a vote upon your motion without permitting any amendment; but if one or more persons, who have not spoken to said motion, raise their hand, the Moderator may defer the termination of debate for a reasonable time to permit both sides of the issue to be heard. If a motion to terminate debate carries by a TWO-THIRDS vote, the Moderator will put the previous motion under consideration to a vote without further debate; but if said motion does not carry by a TWO-THIRDS vote, the Moderator will permit debate to continue.

h. If you wish to adjourn a session of the Town Meeting before all of the articles have been disposed of, you must specify the date and time when the Meeting shall resume. Such motion may be made at any time, is debatable, may be amended and requires a MAJORITY vote.

7. If an article of the Warrant has once been acted upon and disposed of, a motion to return to the article may be made at any time; however, debate and action on said motion shall be deferred until all other articles shall have been disposed of and shall occur in the numerical order of each such article. In any event, a motion to reconsider is debatable, may not be amended and requires a TWO-THIRDS vote, unless it shall have been made before the article has been disposed of; in which event it requires only a

MAJORITY vote. If such motion carries, the Moderator will ask whether there is a new motion under the article to be reconsidered.

D. The Vote

Before calling for a vote, the Moderator will usually repeat the motion under consideration (as the same may have been amended), unless it is substantially identical to the article:

1. The Moderator will then ask all those in favor to say, "Aye". He will then invite those opposed to say, "No". If the Moderator is in doubt as to whether the motion has carried, he or she may call for another voice vote; or may ask those in favor to stand, before he asks those opposed to stand. Sometimes, the Moderator will reverse this procedure before declaring the vote.

2. If the Moderator is still in doubt, or if seven or more voters have immediately questioned his declaration of such vote, he will call for the tellers to help him take a standing counted vote -- two tellers for each section of the hall so that they may check each other's results. The Moderator will then repeat the motion and say, "All those in favor will rise and remain standing until counted." When the count has been completed, the Moderator will ask those who are opposed to stand and be counted. As soon as each team of tellers has agreed upon the count in their section, they will be asked to report their portion of the vote from the Procedural Microphone. When all of the tellers have reported, the Moderator will declare the vote and his declaration is final.

3. In the event that the law requires a vote of TWO-THIRDS or more to carry a motion, the Moderator will normally ask whether there is unanimous support for the motion; but if there is not such support, he will take a standing counted vote.

4. If a TWO-THIRDS vote is required to carry a subsidiary or procedural motion, such as a motion to terminate debate ("move the previous question"), the Moderator need not take a count, even though the voice vote upon such motion was not unanimous, if the Moderator shall have perceived that more than TWO-THIRDS of the voters voted in the affirmative. The Moderator shall then declare that such motion has carried and the Clerk shall record such declaration together with a note that there was "a scattering of nos."

5. In the event that a majority shall have voted that the vote on a particular motion shall be by secret ballot, the Moderator will ask the Tellers to come forward and take their places at the ballot boxes that will be placed at the front of the Hall by the Town Clerk. The Moderator will then announce the color of the ballot that will be cast upon the main motion and direct the attention of each section of voters to their respective ballot box. The voters will then rise and proceed row-by-row to their box, tear their ballots into two parts, deposit one half in the box, the other half in the discard box and return to their seat. In order to assure the security of all secret ballots:

a. No one will be allowed to vote without a ballot which bears the color announced by the Moderator.

b. No one will be permitted to cast a ballot until he or she shall have discarded the other half of the ballot into the discard box in the custody of the Teller.

c. No one will be permitted to leave the hall until after the meeting has adjourned, unless he or she shall have turned all of the ballots that have not actually been used during a vote to the Checkers at the door.

When all of the ballots shall have been cast, the Tellers will open the ballot boxes and count the ballots at the tables situated at the front of the Hall in front of the podium.

The Moderator will then ask for the unanimous consent of the meeting (a two-thirds [2/3] vote is required) to proceed to consideration of the next Article. When the Tellers have completed their count, they shall report their count to the Moderator, the Moderator will declare the vote upon disposition of the Article then under debate. The declaration of the Moderator is final.

The Moderator will then ask for the unanimous consent of the meeting to return to the Article (a 2/3 vote is required) under which the secret ballot has been taken.

E. Adjournment

1. Each session of a Town Meeting shall be adjourned by the Moderator (a) at 10:30 p.m., or as soon thereafter as the Meeting has disposed of the article then under consideration or postponed action thereunder, or (b) voted to adjourn at a different time.

2. No motion to dissolve the Town Meeting (to adjourn *sine die*) is in order until every article shall have been duly considered, acted upon and declared as disposed of.

V. Questions

In the event that you have a question concerning the conduct of the meeting or the status of any motion being considered, you are invited to approach the Procedural Microphone and to address your question to the Moderator as soon as you have been recognized.

Thank you for joining us tonight to do the Town's business.

C. Peter R. Gossels, Moderator
March 3, 2003

APPENDIX B

ARTICLE 13: ADJUSTMENT OF SENIOR PROPERTY TAX EXEMPTION ELIBIGILITY FACTORS AND AMOUNT

M.G.L. Chapter 59, Section 5, Clause 41C

Forty-first C, Real property, to the amount of four thousand dollars of taxable valuation or the sum of five hundred dollars, whichever would amount in an exemption of the greater amount of taxes due, of a person who has reached his seventieth birthday prior to the fiscal year for which an exemption is sought and occupied by said person as his domicile, or of a person who owns the same jointly with his spouse, either of whom has reached his seventieth birthday prior to the fiscal year for which an exemption is sought and occupied by them as their domicile, or for a person who has reached his seventieth birthday prior to the fiscal year for which an exemption is sought who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided: (A) that such person (1) has been domiciled in the commonwealth for the preceding ten years, (2) has so owned and occupied such real property or other real property in the commonwealth for five years, or (3) is a surviving spouse who inherits such real property and has occupied such real property in the commonwealth five years and who otherwise qualified under this clause; (B) that such person had, in the preceding year gross receipts from all sources of less than thirteen thousand dollars, or if married, combined gross receipts with his spouse of less than fifteen thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses; and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such gross receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over if the applicant is unmarried or to a retired worker and spouse both of whom are seventy years of age or over, if the applicant is married; and (C) that such person had a whole estate, real and personal, not in excess of twenty-eight thousand dollars, or if married, not in excess of thirty thousand dollars, provided that real property occupied as his domicile shall not be included in computing the whole estate except for any portion of said property which produces income and exceeds two dwelling units. In the case of real property owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of four thousand dollars valuation or the sum of five hundred dollars, whichever would result in an exemption of the greater amount of taxes due, which the amount of his interest in such property bears to the whole tax due, provided: (A) that no exemption shall be granted to any joint tenant or tenant in common unless the gross receipts from all sources whatsoever of each joint tenant or tenant in common is less than thirteen thousand dollars or, if married, the combined gross receipts from all sources whatsoever, of each joint tenant or tenant in common and his spouse is less than fifteen thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses; and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from an annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over if the applicant is unmarried or to a retired worker and spouse both of whom are seventy years of age or over, if the applicant is married; and (B) that the combined whole estate, real and personal, of each joint tenant or tenant in. common is less than twenty-eight thousand dollars or, if married, the combined whole estate real and personal of each joint tenant or tenant in common and his spouse does not exceed thirty thousand dollars, provided that real property occupied as their domicile shall not be included in computing the whole estate except for any portion of said property which produces income and exceeds two dwelling units. No proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. Household furnishings and property already exempt under the clauses Twelfth, Twentieth, Thirty-first, and Thirty-fifth shall not be included in computing the whole estate for purposes of this

section. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the municipality in which such applicant is domiciled would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause. This clause shall take effect in any city or town upon its acceptance by such city or town for fiscal years commencing on or after July first, nineteen hundred and eighty-six, or for fiscal years commencing on or after such later July first as the city or town may elect. In those cities and towns which accept the provisions of this clause, the provisions of clause Forty-first and Forty-first B shall not be applicable; provided, however, that any amount of money annually appropriated by the commonwealth for the purpose of reimbursing cities and towns for taxes abated under this clause, clause Forty--first and clause Forty-first B shall be distributed as provided in said clause Forty-first.

APPENDIX C

ARTICLE 14: HOME RULE PETITION RE: SENIOR PROPERTY TAX DEFERRAL ELIGIBILITY FACTORS AND AMOUNT

M.G.L. Chapter 59, Section 5, Clause 41A

Forty-first A, Real property, to an amount determined as hereinafter provided, of a person sixty-five years of age or over and occupied by him as his domicile, of a person who owns the same jointly with his spouse, either of whom is sixty-five years of age or over, and occupied as their domicile, or of a person who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided, that such person has been domiciled in the commonwealth for the preceding ten years and

(1) has so owned and occupied as his domicile such real property or other real property in the commonwealth for five years; or

(2) is a surviving spouse who inherits such real property and has occupied such real property or other real property in the commonwealth as his or her domicile for five years and who otherwise qualifies under this clause; and provided further that such person, and such person and his spouse, if married, had, during the preceding year, gross receipts from all sources not in excess of twenty thousand dollars. Any city or town may also, by vote of its legislative body, adopt a higher maximum qualifying gross receipts amount for the purposes of this section; provided, however, that such maximum qualifying gross receipts amount shall not. exceed forty thousand dollars.

In determining the total period ownership of an applicant for exemption under this clause, the time during which the same property was owned by a husband or wife individually shall be added to the period during which such property was owned by said husband and wife jointly. In computing the gross receipts of such an applicant or of such an applicant and his spouse, if married, ordinary business expenses and losses may be deducted but not personal and family expenses.

Any such person may, on or before December fifteenth of each year to which, the tax relates or within three months after the date on which the bill or notice is first sent, whichever is later, apply to the board of assessors for an exemption of all or part of such real property from taxation during such year; provided, however, that in the case of real estate owned by a person jointly or as a tenant in common with a person not his spouse, the exemption shall not exceed that proportion of total valuation which the amount of his interest in such property bears to the whole tax due. The board of assessors shall grant such exemption provided that the owner or owners of such real property have entered into a tax deferral and recovery agreement with said board of assessors on behalf of the city or town. The said agreement shall provide:

(1) that no sale or transfer of such real property may be consummated unless the taxes which would otherwise have been assessed on such portion of the real property as is so exempt have been paid, with interest at the rate of eight per cent per annum;

(2) that the total amount of such taxes due, plus interest, for the current and prior years does not exceed fifty per cent of the owner's proportional share of the full and fair cash value of such real property;

(3) that upon the demise of the owner of such real property, the heirs-at-law, assignees or devisees shall have first priority to said real property by paying in full the total taxes which would otherwise have been due, plus interest; provided, however, if such heir-at-law, assignee or devisee is a surviving spouse who enters into a tax deferral and recovery agreement under this clause, payment of the taxes and interest due shall not be required during the life of such surviving spouse. Any additional taxes deferred, plus interest, on said real property under a tax deferral and recovery agreement signed by a surviving spouse shall be added to the taxes and interest which would otherwise have been due, and the payment of which has been postponed during the life of such surviving spouse, in determining the fifty per cent requirement of subparagraph (2);

(4) that if the taxes due, plus interest, are not paid by the heir-at-law, assignee or devisee or if payment is not postponed during the life of a surviving spouse, such taxes and interest shall be recovered from the estate of the owner; and

(5) that any joint owner or mortgagee holding a mortgage on such property has given written prior approval for such agreement, which written approval shall be made a part of such agreement.

In the case of each tax deferral and recovery agreement entered into between the board of assessors and the owner or owners of such real property, said board of assessors shall forthwith cause to be recorded in the registry of deeds of the county or district in which the city or town is situated a statement of their action which shall constitute a lien upon the land covered by such agreement for such taxes as have been assessed under the provisions of this chapter, plus interest as hereinafter provided. A lien filed pursuant to this section shall be subsequent to any liens securing a reverse mortgage, excepting shared appreciation instruments. The statement shall name the owner or owners and shall include a description of the land adequate for identification. Unless such a statement is recorded the lien shall not be effective with respect to a bona fide purchaser or other transferee without actual knowledge of such lien. The filing fee for such statement shall be paid by the city or town and shall be added to and become a part of the taxes due.

In addition to the remedies provided by this clause, the recorded statement of the assessors provided for in this clause shall have the same force and effect as a valid taking for nonpayment of taxes under the provisions of section fifty-three of chapter sixty, except that: (1) interest shall accrue at the rate provided in this clause until the conveyance of the property or the death of the person whose taxes have been deferred, after which time interest shall accrue at the rate provided in section sixty-two of chapter sixty; (2) no assignment of the municipality's interest under this clause may be made pursuant to section fifty-two of chapter sixty; (3) no petition under section sixty-five of chapter sixty to foreclose the lien may be filed before the expiration of six months from the conveyance of the property or the death of the person whose taxes have been deferred.

APPENDIX D

ARTICLE 15: AMEND CURRENT BY-LAWS CHAPTER 12

Chapter 12

COUNCIL ON AGING

§ 12-1. Establishment; purpose; statutory authority.
§ 12-2. Membership; salaries and compensation; appointment; terms of office; vacancies.
§ 12-3. Officers.
§ 12-4. Annual report.
§ 12-5. Employees.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 3-12-1973 by Art. 11 (Art. 22 of the 1973 By-Laws). Amendments noted where applicable.]

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§ 12-3. Officers.

The Council on Aging shall, at its first meeting and thereafter annually in April of each year, elect from its membership a President, first Vice President, second Vice President, Secretary and Treasurer. Each officer shall hold office until the next annual election or until his successor shall have been elected and qualified. In the event that a vacancy shall occur in any of the offices above, the Council shall hold a special meeting for the purpose of electing, one of its members to fill such vacancy.

APPENDIX E

ARTICLE 18: PERSONNEL BY-LAWS AND WAGE AND CLASSIFICATION PLAN

GROUP: NON-UNION - ADMINISTRATIVE AND PROFESSIONAL

Effective: July 1, 2003 (4% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
G-1	57,526	58,759	59,991	61,224	62,455	63,687	64,920	66,152	67,384	68,617
G-2	59,826	61,109	62,391	63,673	64,954	66,236	67,519	68,800	70,082	71,364
G-3	--	--	--	--	--	--	--	--	--	--
G-4	72,368	73,918	75,469	77,020	78,570	80,121	81,671	83,222	84,773	86,323
G-5	75,261	76,872	78,485	80,098	81,710	83,323	84,934	86,547	88,160	89,773
G-6	81,051	82,787	84,526	86,262	88,000	89,737	91,474	93,212	94,949	96,687

Step	11	12	13	14	15
G-1	69,848	71,080	72,313	73,545	78,785
G-2	72,645	73,928	75,210	76,491	77,774
G-3	--	--	--	--	--
G-4	87,874	89,424	90,975	92,526	94,078
G-5	91,393	92,997	94,609	96,222	97,838
G-6	98,424	100,162	101,899	103,636	105,365

G-1 - Dir of Human Resources/Asst Exec Secretary
G-2 - Highway Director
G-2 - Water Superintendent
G-2 - Library Director
G-2 - Park & Recreation Superintendent
G-4 - Fire Chief
G-5 - Finance Director
G-6 - Police Chief

GROUP: NON-UNION - NON-ADMINISTRATIVE AND PROFESSIONAL

Effective: July 1, 2003 (4% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
SG-2	31,561	32,161	32,772	33,394	34,029	34,675	35,334	36,006	36,690	37,387
SG-3	34,086	34,817	35,547	36,276	37,008	37,739	38,470	39,199	39,929	40,659
SG-4	36,813	37,602	38,390	39,179	39,968	40,757	41,545	42,334	43,123	43,911

Step	11	12	13	14	15
SG-2	38,097	38,821	39,559	40,310	41,076
SG-3	41,389	42,121	42,851	43,583	44,312
SG-4	44,700	45,489	46,277	47,066	47,856

SG-2 - Computer Technician
SG-3 - Outreach Coordinator (PT)
SG-4 - Administrative Secretary, Selectmen

GROUP: NON-UNION - OFFICE STAFF
Effective: July 1, 2003 (4% Adjustment)

Step	Minimum	1	2	3
S-9	27,449	28,607	29,751	30,895
S-10	28,607	29,744	30,992	32,182
S-12	31,040	32,334	33,628	34,920
S-13	32,263	33,607	34,950	36,296
S-14	33,550	34,947	36,345	37,744
S-15	34,855	36,307	37,760	39,212
S-16	36,271	37,783	39,295	40,805
S-17	37,708	39,278	40,849	42,422
S-18	39,260	40,894	42,530	44,167

S-12 - Sr Clerk, Health (PT)
S-12 - Sr Clerk, Landfill (PT)
S-13 - Secretary, Fire Department (PT)
S-14 - Recreation Program Asst (PT)
S-15 - Administrative Assistant, Youth Services (PT)
S-16 - Personnel Secretary
S-16 - Administrative Asst, Police

GROUP: NON-UNION - POLICE
Effective: July 1, 2003 (4% Adjustment)

Step	Starting	1	2	3
P-4	59,341	62,307	65,423	68,693

P-4 - Lieutenant

GROUP: NON-UNION - BUILDING INSPECTORS
Effective: July 1, 2003 (4% Adjustment)

Step	Minimum	2	3	4	Maximum
	18.54	19.46	20.43	21.46	22.53

Gas & Plumbing Inspector (PT)
Wiring Inspector (PT)

GROUP: NON-UNION - PUBLIC SAFETY
Effective: July 1, 2003 (4% Adjustment)

	Annual	Hourly
Traffic Supervisor	6,489	--
Traffic Supervisor, Substitute	--	37.20
Special Police Matron	--	16.54
Call Firefighters	--	16.54
Call Firefighters Coordinator	--	17.64
Police Custodian (PT)	--	13.19
Police Intern	--	8.55

GROUP: NON-UNION – ON-CALL DISPATCHERS
Effective: July 1, 2003

	Yr 1	Yr 2	Yr 3	Yr 4
On-call Dispatcher	15.61	16.33	17.05	17.77

GROUP: NON-UNION - SEPTAGE
Effective: July 1, 2003 (4% Adjustment)

	Starting	1	2	3
Wastewater Facility Monitor (PT)	12.37	13.01	13.67	14.33

GROUP: NON-UNION - TOWN POOL
Effective: May 1, 2003 (4% Adjustment)

	Yr 1	Yr 2	Yr 3	Yr 4
	0-360 Hrs	361-721 Hrs	721-1080 Hrs	1081+ Hrs
Pool Head Lifeguard	15.05	15.51	15.97	16.44
Pool Secretary	10.36	10.71	11.05	11.40
	0-360 Hrs	361-721 Hrs	721-1080 Hrs	1081+ Hrs
Sr Lifeguard	10.42	10.76	11.11	11.46
Swim Instructor	8.82	--	--	--
Front Desk Clerk - Pool	8.39	8.68	8.97	9.26

GROUP: NON-UNION - HOURLY LIBRARY CLERKS
Effective: July 1, 2003 (4% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
	12.51	12.79	13.08	13.35	13.60	13.88	14.15	14.42	14.70	14.97

Step	11	12	13	14	15
	15.23	15.50	15.79	16.05	16.32

GROUP: NON-UNION - HOURLY LIBRARY PART-TIME WEEKEND PROFESSIONALS
Effective: July 1, 2003 (4% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
	19.70	20.06	20.42	20.77	21.14	21.49	21.86	22.21	22.58	22.93

Step	11	12
	23.29	23.65

GROUP: NON-UNION - LIBRARY PAGES

Effective: July 1, 2003 (4% Adjustment)

Step	Yr 1	Yr 2	Yr 3
	7.41	7.87	8.30

GROUP: NON-UNION - VETERANS' AGENT

Effective: July 1, 2003 (4% Adjustment)

	Annual
Veterans' Agent	3,302

GROUP: NON-UNION - SEASONAL - SUMMER PLAYGROUND
Effective: May 1, 2003 (4% Adjustment)

	Yr 1	Yr 2	Yr 3	Yr 4
Day Program Coordinator	18.74	19.30	19.88	20.48
SA Program Director	16.54	17.04	17.53	18.06
SA Asstistant Director	13.78	14.20	14.62	15.06
Lead Teacher	13.78	14.20	14.62	15.06
Assistant Teacher	12.13	12.49	12.86	13.25
SA Sr Counselor	11.02	11.36	11.70	12.05
Counselor	9.92	10.22	10.52	10.84
Jr Counselor	7.72	7.95	8.20	8.43

SA - Summer Adventure Program

GROUP: NON-UNION - SEASONAL - MISCELLANEOUS
Effective: May 1, 2003 (4% Adjustment)

	Yr 1	Yr 2	Yr 3	Yr 4
Conservation Laborer	10.42	11.17	11.92	12.59
Landfill Clerk	11.90	(6 week position)	--	--
Park & Recreation Laborer	11.77	12.36	12.95	--

GROUP: NON-UNION - SEASONAL - MISCELLANEOUS
Effective: May 1, 2003 (4% Adjustment)

	Yr 1	Yr 2	Yr 3	Yr 4
Beach Director	16.21	16.67	17.13	17.59
Snack Bar Supervisor	10.42	10.73	11.06	11.39
Snack Bar I	9.26	9.55	9.82	10.12
Snack Bar II	8.32	8.57	8.83	9.09

	0-360 Hrs	361-721 Hrs	721-1080 Hrs	1081+ Hrs
Beach Head Lifeguard	10.88	11.21	11.54	11.89
Beach Supervisor	12.50	12.88	13.34	13.74
Sr Lifeguard	10.42	10.76	11.11	11.46
Jr Lifeguard/Swim Aide I/Gateguard	9.26	9.55	--	--
Swim Aide II	7.87	8.10	--	--
Water Safety Instructor	10.88	11.21	11.54	11.89

GROUP: LIBRARY
Effective: July 1, 2003 (4% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
L-1	29,224	30,100	31,003	31,933	32,891	33,878	34,894	35,941	37,020	38,130
L-2	31,560	32,507	33,482	34,486	35,521	36,587	37,684	38,815	39,979	41,179
L-3	34,087	35,109	36,163	37,248	38,365	39,516	40,701	41,922	43,180	44,476
L-4	36,813	37,917	39,055	40,226	41,433	42,676	43,956	45,275	46,633	48,032
L-5	39,757	40,950	42,179	43,444	44,747	46,090	47,472	48,896	50,363	51,874
L-6	42,938	44,226	45,553	46,919	48,327	49,777	51,270	52,808	54,392	56,024
L-7	46,374	47,765	49,198	50,674	52,194	53,760	55,373	57,034	58,745	60,507

L-1 - Circulation Assistant
L-1 - Children's Library Assistant
L-2 - Library Associate, Periodicals
L-3 - Assistant Children's Librarian
L-3 - Bibliographic Services Librarian
L-4 - Library Administrative Assistant
L-4 - Computer Specialist
L-4 - Head of Circulation
L-4 - Reference Librarian
L-5 - Children's Librarian
L-7 - Assistant Director

GROUP: AFSCME

Effective: July 1, 2003 (4% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
G-1	29,224	30,101	31,004	31,934	32,892	33,879	34,895	35,942	37,020	38,139
G-2	31,560	32,507	33,483	34,487	35,522	36,587	37,685	38,815	39,980	41,189
G-3	34,087	35,109	36,162	37,247	38,365	39,516	40,701	41,922	43,180	44,485
G-4	36,813	37,918	39,055	40,227	41,434	42,677	43,957	45,276	46,634	48,044
G-5	39,757	40,950	42,178	43,444	44,747	46,089	47,472	48,896	50,363	51,885
G-6	42,939	44,228	45,554	46,921	48,329	49,779	51,272	52,810	54,394	56,038
G-7	46,939	48,347	49,798	51,292	52,830	54,415	56,048	57,729	59,461	61,258
G-8	51,166	52,701	54,282	55,910	57,587	59,315	61,095	62,927	64,815	66,775
G-9	55,770	57,444	59,167	60,942	62,770	64,653	66,593	68,591	70,648	72,784
G-10	60,791	62,614	64,493	66,427	68,420	70,473	72,587	74,765	77,008	79,335

G-2 - Animal Control Officer
G-3 - Administrative Assessor
G-4 - Local Building Inspector
G-5 - Assistant Youth Director
G-5 - Sanitarian/Health Agent
G-6 - Pool Director
G-6 - Recreation Program Admin
G-6 - Solid Waste Facility Supt
G-6 - Wastewater Facility Supt
G-7 - Assistant Assessor
G-7 - Conservation Administrator
G-7 - Council on Aging Director
G-7 - GIS Analyst
G-8 - Building Commissioner
G-8 - Data Processing Manager
G-8 - Director of Youth and Family Services
G-8 - Town Planner
G-8 - Town Surveyor
G-9 - Director of Health
G-9 - Treasurer/Collector

GROUP: LIBRARY

Effective: July 1, 2003 (4% Adjustment)

Step	Minimum	After 1 Yr	After 2 Yrs	After 3 Yrs	After 4 Yrs	After 5 Yrs
Custodian	27,998	29,040	30,077	31,176	32,324	33,826

GROUP: NAGE

Effective: July 1, 2003 (4% Adjustment)

Step	1	2	3	4	5	6	7	8	9	10
C-10	25,286	26,044	26,826	27,630	28,459	29,313	30,192	31,098	32,031	32,992
C-12	27,309	28,128	28,972	29,841	30,736	31,658	32,608	33,586	34,594	35,632
C-13	28,410	29,262	30,140	31,044	31,976	32,935	33,923	34,941	35,989	37,069
C-14	29,554	30,441	31,354	32,295	33,263	34,261	35,289	36,348	37,438	38,562
C-15	30,695	31,615	32,564	33,541	34,547	35,583	36,651	37,751	38,883	40,050
CD	30,434	31,840	33,246	34,651	36,057	37,463	38,869	--	--	--

C-12 - Sr Clerk
C-13 - Principal Clerk
C-14 - Administrative Assistant
C-14 - Town Clerk, Assistant
C-14 - Treasurer/Collector, Assistant
C-15 - Accounting Supervisor
C-15 - Finance Asst/Benefits Coordinator
C-15 - Payroll Supervisor
CD - JCC Dispatcher

GROUP: FIRE

Effective: July 1, 2003 (4% Adjustment)

Step	Start	After 1 Yr	After 2 Yrs	After 3 Yrs
F-1E	42,054	43,448	44,891	46,385
F-2E	44,892	46,350	48,711	49,434
F-3E	46,286	47,690	49,424	51,087
F-4E	48,788	50,321	51,991	53,726
F-5	48,724	50,409	52,169	53,996
F-5E	50,514	52,199	53,959	55,785
F-6E	--	--	--	61,726

F-1E - Firefighter/EMT
F-2E - Prevention Inspector/EMT
F-3E - Lieutenant/EMT
F-4E - Elec/Mech/EMT
F-5 - Captain/Non-EMT
F-5E - Captain/EMT
F-6E - Deputy/EMT

GROUP: POLICE

Effective: July 1, 2003 (4% Adjustment)

Step	Minimum	After 1 Yr	After 2 Yrs	After 3 Yrs
P-1	40,181	42,190	44,299	46,514
P-2	48,840	51,282	53,846	56,538

P-1 - Patrolman
P-2 - Sergeant

GROUP: TEAMSTERS - HIGHWAY
Effective: July 1, 2003 (4% Adjustment)

Step	Minimum	1	2	3
H-5	16.34	16.82	17.39	17.90
H-6	16.82	17.39	17.90	18.57
H-7	17.39	17.90	18.57	19.11
H-8	17.90	18.57	19.11	19.79
H-9	18.57	19.11	19.79	20.45
H-10	19.11	19.79	20.45	21.12
H-11	19.79	20.45	21.12	21.85

H-6 - Medium Equipment Operator
H-7 - Heavy Equipment Operator
H-8 - Grader Operator
H-8 - Special Equipment Operator
H-10 - Working Foreman
H-10 - Mechanic/Welder
H-11 - Assistant Chief Operator
H-11 - Master Mechanic/Fleet Maintenance
H-11 - Mechanic/Operator
H-11 – General Foreman

GROUP: TEAMSTERS - PARK & RECREATION
Effective: July 1, 2003 (4% Adjustment)

Step	Minimum	1	2	3
P&R-1	15.24	15.71	16.20	16.78
P&R-2	15.71	16.20	16.78	17.33
P&R-3	17.33	17.83	18.49	19.08
P&R-4	18.49	19.08	19.85	20.38
P&R-6	19.85	20.38	21.08	21.79
P&R-7	21.21	21.91	22.60	23.30

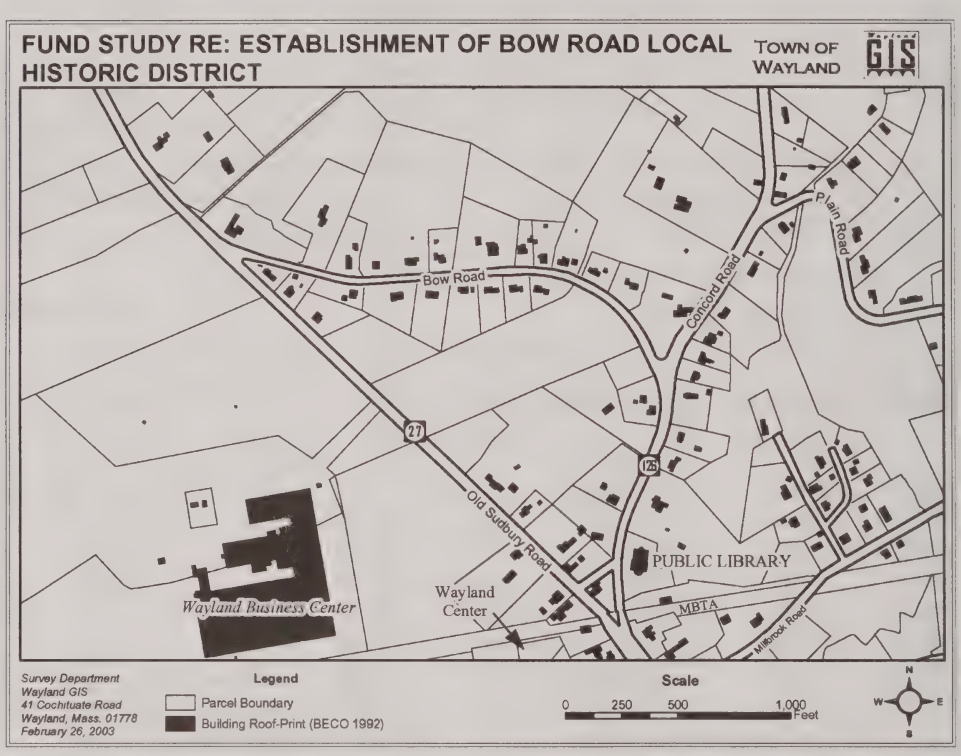
P&R-1 - Groundskeeper I
P&R-2 - Groundskeeper II
P&R-3 - Groundskeeper III
P&R-4 - Working Foreman
P&R-6 - Master Mechanic
P&R-7 - General Foreman

GROUP: TEAMSTERS - WATER
Effective: July 1, 2003 (4% Adjustment)

Step	Minimum	1	2	3
Watercraftsman I	34,563	36,031	37,284	38,675
Watercraftsman II	40,051	41,366	43,083	44,673
Working Foreman	44,019	46,114	48,072	50,029
Water Foreman	46,127	48,333	50,539	52,749

APPENDIX F

ARTICLE 21



APPENDIX G

ARTICLE 27: SPECIAL ACT RE: FILED SUB-BID LAW EXEMPTION FOR SCHOOL BUILDING PROJECTS

CHAPTER 149. LABOR AND INDUSTRIES.

Chapter 149: Section 44F. Plans and specifications; sub-bids; form; contents.

Section 44F. (1) (a) Every contract subject to section forty-four A shall include specifications and, if deemed necessary or convenient by the awarding authority, plans, detailing all labor and materials to be furnished thereunder. Such specifications shall have a separate section for each of the following classes of work if in the estimate of the awarding authority such class of work will exceed ten thousand dollars: (a) roofing and flashing; (b) metal windows; (c) waterproofing, damp-proofing and caulking; (d) miscellaneous and ornamental iron; (e) lathing and plastering; (f) acoustical tile; (g) marble; (h) tile; (i) terrazzo; (j) resilient floors; (k) glass and glazing; (%93) painting; (m) plumbing; (n) heating, ventilating and air-conditioning; (%96) electrical work, including direct electrical radiation for heating; (p) elevators; (q) masonry work; and (r) any other class of work for which the awarding authority deems it necessary or convenient to receive sub-bids, provided that the awarding authority may, in addition, receive a combined sub-bid on the marble, tile and terrazzo work, but in that event, the marble, tile and terrazzo work shall each be a class of work for which the sub-bidder must list the information in a clearly designated place on the bid form for that purpose. Each separate section in the specifications prescribed or provided for by this paragraph shall state the time limit for filing sub-bids with the awarding authority, shall specify by number each sheet of plans showing work to be done by the subcontractor under such section, and shall require the subcontractor to install all materials to be furnished by him under such section other than materials which in the opinion of the awarding authority it is not customary under then current trade practices for such subcontractor to install and the installation of which is expressly required by another section of the specifications. Each class of work set forth in a separate section of the specifications pursuant to this section shall be a sub-trade designated in the appropriate category of the general bid form and shall be the matter of sub-contract made on the basis of sub-bids in accordance with the procedure set forth in sections forty-four F(1)-(5).

Each separate section of the specifications required by the provisions of this section shall contain a paragraph describing by class of work and by reference to paragraph numbers in that section, each class of work, if any, requiring labor and materials which, in the opinion of the awarding authority based upon an investigation of the work involved, is customarily performed in that sub-trade under subcontract with a sub-bidder for that sub-trade, and which is estimated by the awarding authority to cost in excess of ten thousand dollars, and only each class of work so described shall be a class of work for which sub-bidder for that sub-trade must list the information required in the appropriate place designated on the bid form for that purpose.

Every contract subject to section forty-four A shall include specifications for the installation of weather protection and shall require that the general contractor shall install the same and that he shall furnish adequate heat in the area so protected during the months of November through March. Standards for such specifications shall be established by the commissioner of planning and operations in the executive office for administration and finance.

APPENDIX H

Article 28: AMEND GENERAL BYLAWS RE: NONCRIMINAL ENFORCEMENT – BODY ART ESTABLISHMENTS AND PRACTITIONERS RULES AND REGULATIONS

Chapter 1

GENERAL PROVISIONS

ARTICLE I
Adoption of Code

ARTICLE II
Violations and Penalties

§1-2. Noncriminal disposition of violations; enforcement.

§ 1-1. General penalty.

[HISTORY: Adopted by the Town of Wayland as follows: Art. II, by the Annual Town Meeting 3-12-1973 by Art. 14 as Art. 20 of the 1973 By-Laws. Amendments noted where applicable.]

ARTICLE I
Adoption of Code

[At the 4-30-1998 ATM by Art. 24, the town voted to accept and approve the codification of by-laws of the Town of Wayland, to be known as the "Code of the Town of Wayland," in the format presented by General Code Publishers Corp., which is on file in the Office of the Town Clerk, said codification being a renumbering, recaptioning and repositioning of the present by-laws, with no substantive changes.)

ARTICLE II
Violations and Penalties
[Adopted 3-12-1973 ATM by Art. 14
as Art. 20 of the 1973 By-Laws]

§ 1-1. General penalty. [Amended 4-15-1980 ATM by Art. 11; 11-18-1982 STM by Art. 12]

Whoever shall breach or violate any provision of these by-laws, the Zoning By-Laws, the Building Code, the Electrical Code and/or any of the rules and regulations duly adopted by any board, committee or commission of the Town of Wayland, as the same may have been amended from time to time, shall be punished by a fine of not exceeding $300 for each offense or for each day of a continued offense, in the absence of an express provision of another penalty.

§ 1-2. Noncriminal disposition of violations; enforcement. [Added 5.2-1991 ATM by Art. 17]

As an alternative to the foregoing penalty, violations of the following by-laws and sections thereof, codes, rules and regulations duly adopted by the town or any of its boards, committees or commissions may be enforced in the manner provided in MGL c. 40, § 21D. For the purposes of this section, the specific penalty which is to apply for violations of each such by-law, code, rule or regulation shall be as listed below. Each day on which a violation exists shall be deemed to be a separate offense. The

municipal officers or employees whose titles are listed under each by-law, code, rule or regulation shall be deemed to be enforcing officers for each such provision.

A. Zoning By-Laws.
(1) Penalty:
(a) Twenty-five dollars for the first offense.
(b) Fifty dollars for the second offense.
(c) One hundred dollars for the third offense.
(d) Three hundred dollars for the fourth and each subsequent offense.
(2) Enforcing persons: Building Commissioner/Zoning Enforcement Officer and his/her assistants. **[Amended 4-28-1997 STM by Art. 2]**

B. Rules and regulations of the Board of Health.
(1) Penalty: fifty dollars for each violation.
(2) Enforcing person: Director of Public Health.

C. Failure to license dog(s) by March 31. **[Added 11-14-1991 STM by Art 10]**
(1) Penalty: fifty dollars per dog for each violation.
(2) Enforcing person: Dog Control Officer.

D. Rules and regulations of the Chief of the Wayland Fire Department. **[Added 5-1-1995 ATM by Art. 15)**
(1) Penalty:
(a) Twenty-five dollars for the first offense.
(b) Fifty dollars for the second offense and for each subsequent offense.
(2) Enforcing persons: Fire Chief and his designees.

E. Rules and regulations of the Board of Health for restrictions on the use, sale, vending and distribution of tobacco. **[Added 5-5-1997 ATM by Art. 21]**
(1) Penalty:
(a) Smoking in prohibited area in any 12-month period:
[1] Twenty-five dollars for the first offense.
[2] Fifty dollars for the second offense.
[3] One hundred dollars for the third or subsequent offense.
(b) Failure to comply by owner: $200 for the first offense and each subsequent day a violation occurs.
(c) Tobacco for sale without permit: $50 per day.
(d) Sales to minors in any 12-month period:
[1] One hundred dollars for the first offense.
[2] Two hundred dollars for the second offense.
[3] Three hundred dollars for any third or subsequent offense.
(e) Failure to post notices: $50 per day.
(f) Failure to comply with Section 10 in any 12-month period.
[1] One hundred dollars for the first offense.
[2] Two hundred dollars for the second offense.
[31 Three hundred dollars for any third or subsequent offense.
(2) Enforcing persons: Board of Health, its staff or other officials designated by the Board of Health as its agent(s).

F. Chapter 163 of the Code of the Town of Wayland, Swimming Pools. **[Added 4-30-2001 ATM by Art. 40]**
(1) Penalty: up to $300 per day.
(2) Enforcing person: Building Commissioner and his/her assistants.

APPENDIX I

ARTICLE 33: AMEND SECTION 36-3, SUBMISSION OF WARRANT ARTICLES

§ 36-3. Submission of warrant articles. [Amended 5-6-1982 ATM by Art. 33; 5-7-1997 ATM by Art. 47; 5-7-1997 ATM by Art. 48]

All articles for insertion in the warrant for the annual town meeting must be presented in writing to the Board of Selectmen in accordance with law on or before December 15 or such earlier time as may be fixed by the Board of Selectmen, and all such articles for special town meetings must be so presented on or before the date fixed by the Selectmen for closing of the warrant for such meeting. In the event that December 15 is a Saturday, Sunday or legal holiday, all articles for insertion in the annual town meeting warrant must be so presented by 4:30 p.m. on the next weekday following December 15 that the Wayland Town Building is open. The warrant for any special town meeting shall remain open for at least seven days after it is called by the Board of Selectmen. Within 48 hours after calling any town meeting, the Selectmen shall post notice of the warrant closing date at the locations specified in § 36-2 above.

A. However, after an article for insertion in the warrant has been duly presented to the Board of Selectmen by registered voters in accordance with law, said article may be amended or withdrawn by a majority, but not fewer than 10, of said registered voters after the warrant closing date. **[Added 5-14-1998 ATM by Art. 59]**

B. Town Counsel shall be accessible to registered voters for consultation on presenting articles for insertion in the warrant or on making motions or amendments from the floor of town meeting. Town Counsel shall be available for consultation at reasonable times in accordance with guidelines promulgated by the Board of Selectmen. **[Added 5-14-1998 by Art. 591**

APPENDIX J

ARTICLE 34: AMEND SECTION 6-3, VOTING MEMBERS OF GOVERNMENTAL BODIES

Chapter 6
BOARDS, COMMISSIONS AND COMMITTEES

§ 6-1. Vacancies.

§ 6-2. Publication of notice of public hearing.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 5-5-1983 by Art. 20 (Art 26 of the 1973 By-Laws). Amendments noted where applicable.]

Finances - See Ch. 19. Reports - See Ch. 53.

GENERAL REFERENCES

Disposal of surplus property - See Ch. 62.

§ 6-1. Vacancies.

Whenever a vacancy occurs in any appointed office, board, commission, committee or other appointed body established by law or by vote of the town, the body with power of appointment shall give public notice thereof within one month of said vacancy by posting the open position and the date of vacancy at the Town Building and shall not fill such vacancy until the open position has been publicly posted for not less than one week. The notice of vacancy shall remain publicly posted at the Town Building until the vacancy has been filled. As used in this chapter, the terms "vacancy" and "open position" both include the expiration of term of an appointed office.

§ 6-2. Publication of notice of public hearing. [Added 5-1-2000 ATM by Art. 181]

Whenever notice of a public hearing is required by law to be given by publication, at least one such notice shall be published in the Wayland Town Crier or a successor newspaper.

APPENDIX K

ARTICLE 37: AMEND GENERAL BY-LAWS RE: BUDGETS

Chapter 19

FINANCES

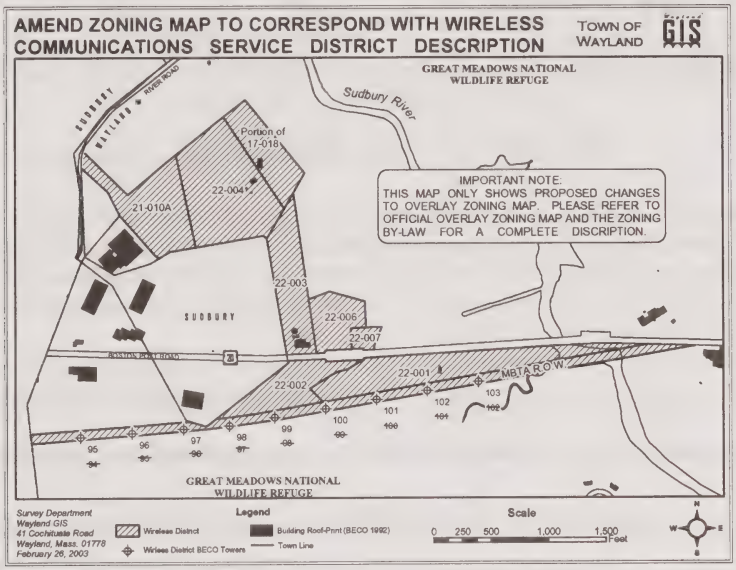
§ 19-1. Finance Committee.
§ 19-2. Budget; capital improvement program.
§ 19-3. Finance Committee reports.
§ 19-4. Estimates of expenses and income.
§ 19-5. Warrant articles involving appropriations or expenditures.
§ 19-6. Salaries and compensation.
§ 19-7. Acquisition of vehicles.
§ 19-7. Board of Assessors.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Wayland 3-12-1973 by Art. 14 as Art 4 of the 1973 By-Laws. Amendments noted where applicable.]

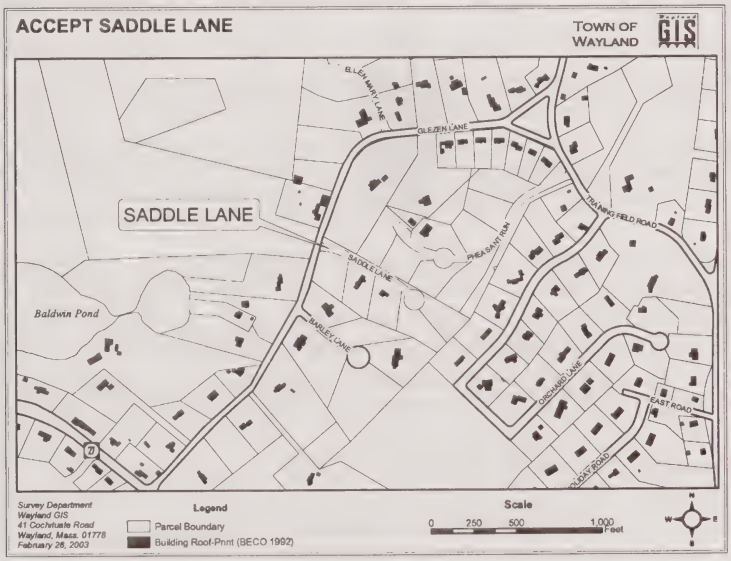
§ 19-4. Estimates of expenses and income.

The various town boards, officers and committees charged with the expenditure of town money shall, not later than the 15th of December in each year, file with the Clerk of the Finance Committee detailed estimates of the amounts deemed necessary for the administration of their respective board, office or committee for the ensuing fiscal year, with explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding year. They shall also file estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of their board, office or committee.

APPENDIX L: ARTICLE 39



APPENDIX M: ARTICLE 41



APPENDIX N

PLANNING BOARD REPORTS FOR 2003 ANNUAL TOWN MEETING

WARRANT ARTICLES

The Planning Board, according to Massachusetts General Laws Chapter 40A Section 5, is required to submit to Town Meeting a report on all proposed Zoning Amendments. The following information pertains to the Board's report on ATM Articles 30, 38, and 39. This report also contains copies of the existing Zoning Bylaw Articles, which are included as attachments to this document.

For any questions or information, contact the Planning Department at 508-358-3615.

Planning Board Report on Annual Town Meeting Warrant Article 30

An article to amend CHAPTER 198, the Zoning By-Law of Code of the Town of Wayland by amending Article 5, Earth Removal.

The Planning Board held its public hearing as required by law on February 18, 2003.

The purpose of this article is to address uncontrolled movement of earth. The Planning Board has become increasingly concerned with the excessive alteration of contours that result in adverse environmental impacts to abutting properties and the landscape. Excessive and uncontrolled earth movement can result in the loss of vegetative cover and buffers, modification of surface drainage patterns resulting in runoff flowing onto adjacent properties, and change in the character of a neighborhood or landscape.

The article establishes a special permit process for earth movement in excess of 50 cubic yards for properties less than 40,000 square feet in area and 150 cubic yards for properties 40,000 square feet or more in area. The bylaw identifies activities that are exempt from the requirement, including but not limited to: the movement of earth associated with the installation of septic systems, foundations, patios, driveways, accessory structures, and roadways, if they have received the appropriate building permit or subdivision approval.

The Planning Board recommends passage of the article.

See Attachment #1 for existing bylaw language.

Planning Board Report on Annual Town Meeting Warrant Article 38

An article to amend CHAPTER 198, the Zoning By-Law of Code
of the Town of Wayland by amending section 198-503.1, pertaining to
unregistered and ungaraged motor vehicles

The Planning Board held its public hearing as required by law on February 18, 2003.

This article proposes to transfer jurisdiction for granting permission to keep an unregistered and ungaraged motor vehicle from the Board of Selectmen to the Zoning Board of Appeals. The current Bylaw simply requires "authorization by the Selectmen"; the proposed change requires a Special Permit from the ZBA.

This change was recommended by Town Counsel, who found the current language legally vague and not in keeping with certain recent court decisions.

The Planning Board recommends passage of the article.

See Attachment #2 for existing bylaw language.

Planning Board Report on Annual Town Meeting Warrant Article 39

An article to amend CHAPTER 198, the Zoning By-Law of Code of
the Town of Wayland by amending the Zoning Map

The Planning Board held its public hearing as required by law on February 18, 2003.

This article proposes to correct inconsistencies between the Zoning Bylaw and the Overlay Zoning Map, specifically, correcting the designation numbers of Boston Edison Company ("BECO") tower numbers on the Overlay Zoning Map.

The Planning Board recommends passage of the article.

See Attachment #3 for existing bylaw language.

Attachment 1

ARTICLE 5
General Regulations

§ 198-504. Earth removal. [Amended 5-14-1998 ATM by Art. 47]

504.1. The removal of sod, loam and gravel, stone or other earth materials from any premises in any district, including such removal to effect topographical changes, shall be allowed only if a special permit from the ZBA is obtained in accordance with the procedure provided in § 198-203, and only under such conditions as the ZBA may impose, with the following exceptions:

504.1.1. Removal necessary for the construction or alteration of a building for which a permit has been issued, including the installation of walks, driveways and other appurtenances to said building, provided that the quantity of material to be removed as certified by a registered professional engineer or land surveyor, or the Town Surveyor, does not exceed that displaced by the building, walks, driveways and other appurtenances.

504.1.2. Removal from Town-owned land and transfer between or among such parcels.

504.2. Nothing contained in § 198-504.1. shall prevent the continued use of any land for the purpose for which it is used at the time § 198-504.1. takes effect or prevent the use of any land for farms, gardens, nurseries, cemeteries, parks, playgrounds and such purposes as are incidental to, or usual in connection with, any of said purposes.

504.3.Before a special permit is issued, the applicant shall show to the satisfaction of the ZBA that the removal will not impair the usability of the area for the purposes permitted in this Zoning Bylaw, that the grades to be established within the area will permit vehicular access to the area and the continuation of streets from the abutting premises, and that the area may ultimately be developed compatibly with the neighboring land.

504.4. The removal of sod, loam, sand, gravel or quarried stone from within a subdivision, the plan of which has been approved by the Planning Board and duly recorded in the Middlesex South District Registry of Deeds, shall be permitted as of right when and to the extent that such is necessary for the lawful construction or alteration of a way shown on said plan or for the lawful installation of utilities, drainpipes or drain structures in said subdivision, provided that the quantity of sod, loam, sand, gravel or quarried stone so removed shall not exceed that in place in the particular space to be occupied by such way, utilities, drainpipes or drain structures, and subject to any requirements made by the Planning Board endorsed or referred to on the plan of such subdivision.

Attachment 2

ARTICLE 5
General Regulations

§ 198-503. Unregistered and ungaraged motor vehicle in Single Residence District. [Amended 5-14-1998 ATM by Art. 47; 5-5-1999 STM by Art. 11]

503.1. Unless authorized by the Board of Selectmen, not more than one unregistered and ungaraged motor vehicle shall be placed or permitted to remain on any lot in a Single Residence District, and no unregistered motor vehicle shall be placed or permitted to remain in the front yard of any such lot. Any person so placing a motor vehicle and, if placed or allowed to remain with his or her knowledge or consent, the owner or owners of the motor vehicle and of the lot shall each be punishable as specified in § 198-205.2 of this Zoning Bylaw.

Attachment 3

ARTICLE 15
Wireless Communications Services District
[Amended 5-2-1996 STM by Art. 3; 5-7-1997 ATM by Art. 31; 5-7-1997 ATM by Art. 32; 12-2-1998 STM by Art. 5; 12-3-1998 STM by Art. 11; 12-3-1998 STM by Art. 12; 12-3-1998 STM by Art. 13; 5-3-1999 STM by Art. 14]

§ 198-1503. Use restrictions.

1503.2.4. Any wireless communications facility erected in the portion of the Wireless Communications Services District comprising the portion of so-called MBTA right-of-way located between its westernmost boundary with the Town of Sudbury and its boundary with the southerly sideline of Route 20, as described in Section 198-1502.1 of this Zoning Bylaw, shall be mounted on and attached to one of the Boston Edison Company (BECO) electric transmission towers located therein numbered 94 through 102, inclusive, except for structures which are accessory to such wireless communications facilities. Except for the BECO towers, the highest point of any antenna support structure or of any antenna or any component thereof or attachment thereto shall not exceed 10 feet above the lesser of the preexisting significant tree canopy elevation or the proposed postconstruction significant tree canopy elevation, as defined in § 198-1503.2.4.2 below. [Amended 11-17-1999 STM by Art. 3]

★★★★★★★★★

You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School, and by mailing or delivering a copy thereof addressed to each residence in the Town seven (7) days, at least, before the time appointed for the Annual Town Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before March 18, 2003.

Given under our hands and seals this 17th day of March, 2003.

Mary M. Antes, Chair
Betsy Connolly
Brian T. O'Herlihy
Susan W. Pope
Linda L. Segal, Vice Chair

Selectmen of the Town of Wayland

Charles R. D'Ambrosio
Karl A. Geiger
Robert L. Lentz, Chair
G. Christopher Riley, Vice Chair
Lisa C. Schimmel
John J. Shaw
Jane Sanford Stabile

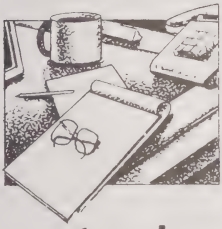
Finance Committee

HURRICANE • FLASH FLOOD • FIRE • HAZARDOUS MATERIALS SPILL • EARTHQUAKE • TORNADO • WINTER STORM

Your Family Disaster Plan

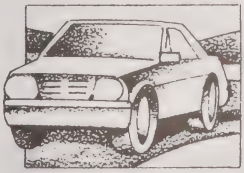
FAMILY EMERGENCY PREPAREDNESS
Family Protection Program

Where will your family be when disaster strikes? They could be anywhere—



at work

at school



or in the car.

How will you find each other? Will you know if your children are safe?

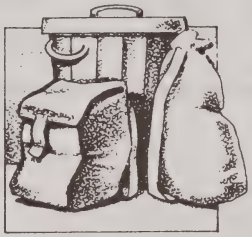
Disaster can strike quickly and without warning. It can force you to evacuate your neighborhood or confine you to your home. What would you do if basic services–water, gas, electricity or telephones–were cut off? Local officials and relief workers will be on the scene after a disaster, but they cannot reach everyone right away.

Families can–and do–cope with disaster by preparing in advance and working together as a team. Follow the steps listed in this brochure to create your family's disaster plan. Knowing what to do is your best protection and your responsibility.

American Red Cross

EMERGENCY SUPPLIES

Keep enough supplies in your home to meet your needs for at least three days. Assemble a Disaster Supplies Kit with items you may need in an evacuation. Store these supplies in sturdy, easy-to-carry containers such as backpacks, duffle bags or covered trash containers.



Include:

- A three-day supply of water (one gallon per person per day) and food that won't spoil.
- One change of clothing and footwear per person, and one blanket or sleeping bag per person.
- A first aid kit that includes your family's prescription medications.
- Emergency tools including a battery-powered radio, flashlight and plenty of extra batteries.
- An extra set of car keys and a credit card, cash or traveler's checks.
- Sanitation supplies.
- Special items for infant, elderly or disabled family members.
- An extra pair of glasses.

Keep important family documents in a waterproof container. Keep a smaller kit in the trunk of your car.

UTILITIES

Locate the main electric fuse box, water service main and natural gas main. Learn how and when to turn these utilities off. Teach all responsible family members. Keep necessary tools near gas and water shut-off valves.

Remember, turn off the utilities only if you suspect the lines are damaged or if you are instructed to do so. *If you turn the gas off, you will need a professional to turn it back on.*

4 Steps to Safety

1

Find Out What Could Happen to You

Contact your local emergency management or civil defense office and American Red Cross chapter — be prepared to take notes:

- ❑ Ask what types of disasters are most likely to happen. Request information on how to prepare for each.
- ❑ Learn about your community's warning signals: what they sound like and what you should do when you hear them.
- ❑ Ask about animal care after disaster. Animals may not be allowed inside emergency shelters due to health regulations.
- ❑ Find out how to help elderly or disabled persons, if needed.
- ❑ Next, find out about the disaster plans at your workplace, your children's school or daycare center and other places where your family spends time.

2

Create a Disaster Plan

Meet with your family and discuss why you need to prepare for disaster. Explain the dangers of fire, severe weather and earthquakes to children. Plan to share responsibilities and work together as a team.

- ❑ Discuss the types of disasters that are most likely to happen. Explain what to do in each case.
- ❑ Pick two places to meet:

  1. Right outside your home in case of a sudden emergency, like a fire.
  2. Outside your neighborhood in case you can't return home. Everyone must know the address and phone number.

- ❑ Ask an out-of-state friend to be your "family contact." After a disaster, it's often easier to call long distance. Other family members should call this person and tell them where they are. Everyone must know your contact's phone number.
- ❑ Discuss what to do in an evacuation. Plan how to take care of your pets.

Fill out, copy and distribute to all family members

Family Disaster Plan

Emergency Meeting Place _____ (outside your home)

Meeting Place _____ (outside your neighborhood) **Phone** _____

Address _____

_____

Family Contact _____ (name)

Phone ( ) _____ (day) **Phone** ( ) _____ (evening)

3

Complete This Checklist

- ❑ Post emergency telephone numbers by phones (fire, police, ambulance, etc.).
- ❑ Teach children how and when to call 911 or your local Emergency Medical Services number for emergency help.
- ❑ Show each family member how and when to turn off the water, gas and electricity at the main switches.
- ❑ Check if you have adequate insurance coverage.
- ❑ Teach each family member how to use the fire extinguisher (ABC type), and show them where it's kept.
- ❑ Install smoke detectors on each level of your home, especially near bedrooms.
- ❑ Conduct a home hazard hunt.
- ❑ Stock emergency supplies and assemble a Disaster Supplies Kit.
- ❑ Take a Red Cross first aid and CPR class.
- ❑ Determine the best escape routes from your home. Find two ways out of each room.
- ❑ Find the safe spots in your home for each type of disaster.

4

Practice and Maintain Your Plan

- ❑ Quiz your kids every six months so they remember what to do.
- ❑ Conduct fire and emergency evacuation drills.

Year	Drill Date
_____	_____
_____	_____
_____	_____

- ❑ Replace stored water every three months and stored food every six months.
- ❑ Test and recharge your fire extinguisher(s) according to manufacturer's instructions.
- ❑ Test your smoke detectors monthly and change the batteries at least once a year.

Jan. ❑	July ❑
Feb. ❑	Aug. ❑
Mar. ❑	Sep. ❑
Apr. ❑	Oct. ❑
May ❑	Nov. ❑
June ❑	Dec. ❑

Change batteries in _____ (month) each year.

NEIGHBORS HELPING NEIGHBORS

Working with neighbors can save lives and property. Meet with your neighbors to plan how the neighborhood could work together after a disaster until help arrives. If you're a member of a neighborhood organization, such as a home association or crime watch group, introduce disaster preparedness as a new activity. Know your neighbors' special skills (e.g., medical, technical) and consider how you could help neighbors who have special needs, such as disabled and elderly persons. Make plans for child care in case parents can't get home.

HOME HAZARD HUNT

During a disaster, ordinary objects in your home can cause injury or damage. Anything that can move, fall, break or cause a fire is a home hazard. For example, a hot water heater or a bookshelf can fall. Inspect your home at least once a year and fix potential hazards.

Contact your local fire department to learn about home fire hazards.

EVACUATION

Evacuate immediately if told to do so:

- Listen to your battery-powered radio and follow the instructions of local emergency officials.
- Wear protective clothing and sturdy shoes.
- Take your Disaster Supplies Kit.
- Lock your home.
- Use travel routes specified by local authorities — don't use shortcuts because certain areas may be impassable or dangerous.

If you're sure you have time:

- Shut off water, gas and electricity before leaving, if instructed to do so.
- Post a note telling others when you left and where you are going.
- Make arrangements for your pets.

If disaster strikes

Remain calm and patient. Put your plan into action.

Check for injuries

Give first aid and get help for seriously injured people.

Listen to your battery powered radio for news and instructions

Evacuate, if advised to do so. Wear protective clothing and sturdy shoes.

Check for damage in your home. . .

- Use flashlights — do not light matches or turn on electrical switches, if you suspect damage.
- Check for fires, fire hazards and other household hazards.
- Sniff for gas leaks, starting at the water heater. If you smell gas or suspect a leak, turn off the main gas valve, open windows, and get everyone outside quickly.
- Shut off any other damaged utilities.
- Clean up spilled medicines, bleaches, gasoline and other flammable liquids immediately.

Remember to. . .

- Confine or secure your pets.
- Call your family contact — do not use the telephone again unless it is a life-threatening emergency.
- Check on your neighbors, especially elderly or disabled persons.
- Make sure you have an adequate water supply in case service is cut off.
- Stay away from downed power lines.

The Federal Emergency Management Agency's Family Protection Program and the American Red Cross Disaster Education Program are nationwide efforts to help citizens prepare for disasters of all types. For more information, please contact your local emergency management or civil defense office, and your local American Red Cross chapter. Start planning now.

Request free family protection publications by writing to: FEMA, P.O. Box 70274, Washington, D.C. 20024.

Ask for: *Are You Ready?*, *Your Family Disaster Supplies Kit* and *Emergency Food and Water Supplies*.

This information
has been provided to you
by the

Wayland Police Department

www.waylandpolice.com

For more information on the Wayland Local Emergency Planning Committee, please go to http://members.aol.com/melagm/lepchome.html

TOWN OF WAYLAND
Board of Selectmen
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www.wayland.ma.us

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